

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

SS February 23, 2010

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, February 23, 2010.

This meeting was called to order by Mayor Michael J. Franzoia

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

### **ROLL CALL**

Mayor Present: Michael J. Franzoia

Council Present: Councilman Jim Conner  
Councilman Jay Elquist  
Councilman John Rice

Council Absent: Councilman Chris Johnson

City Staff Present: Curtis Calder, City Manager  
Alan Kightlinger, Fire Chief  
Don Zumwalt, Police Chief  
Shanell Owen, City Clerk  
Dawn Stout, Administrative Services Director  
Ryan Limberg, Utilities Director  
Dennis Strickland, Public Works Director  
Eric Howes, Parks & Recreation Director  
James Wiley, Parks Superintendent  
Fritz Sawyer, WRF Superintendent  
Scott Wilkinson, Development Manager  
Jessica Johnson, Human Resources Manager  
Mike Hess, Landfill Superintendent  
Ted Schnoor, Building Official  
Ed Wynes, City Planner  
Jeremy Draper, Civil Engineer  
Lorraine Martinez, Accounting Supervisor  
Linda Buffington, Recording Secretary

### **PLEDGE OF ALLEGIANCE**

### **APPROVAL OF MINUTES February 9, 2010**

**\*\* A motion was made by Councilman Rice, seconded by Councilman Conner to approve the minutes of February 9, 2010 as presented.**

**Motion passed unanimously.**

**I. APPROPRIATIONS**

- B. Review, consideration, and possible action to approve an amendment to the Professional Services Agreement (PSA) between the City of Elko and Chilton Engineering & Surveying, Ltd. for engineering services associated with the Silver Street Pavement Resurfacing Project; 5th Street to Idaho Street, and matters related thereto. ACTION ITEM

The City of Elko entered into a PSA with Chilton Engineering & Surveying, Ltd. to provide engineering services, including the design, preparation of bidding documents, contract administration and QA/QC for the project in the amount of \$83,945.00 on October 27, 2009.

Pursuant to Federal Highway Administration (FHWA) and Nevada Department of Transportation (NDOT) approval requirements, additional engineering services outside of the original scope of services to address American with Disabilities with Act (ADA) compliance and right-of-way verification was required for the project. Staff would like the council to consider amending the PSA pursuant to Section 2.3 of the agreement by amending the scope of services and fees by \$5,510.00 to cover this additional service. DA

Mayor Franzoia questioned why this was a requirement.

Civil Engineer Draper advised on completion of the design stage two additional requirements were added by NDOT in order to complete the project.

Mayor Franzoia questioned whether they were requirements related to state highways or city roads.

Mr. Draper advised we have to be ADA compliant; this project is partially funded by federal highway funds. One change order was NDOT's requirement to include the right-of-way information on all project documents as every thing on this project will be done in our right-of-way.

Mayor Franzoia questioned if there would be any additional costs over the project estimate.

Chris Woster, Chilton Engineering, did not believe there would be; there is a higher level of reporting than on typical City projects but City Staff will handle all that. There might be more time involved on close out but it won't be an issue.

Mr. Woster clarified the requirements; NDOT wanted all the existing right-of-way maps, legal descriptions and delineations that delineate your right-of-way put it into a computer document so they could have it in front of them. Even though the City was sure of it; they were not assured; that involved about fifteen hours of survey time. They also required we do a certain stretch of sidewalk in front of the Star and adjoining business to make it ADA compliant. They directed us

to do the work, we designed it, and then they came back and said it was not inside the right-of-way.

**\*\* A motion was made by Councilman Conner, seconded by Councilman Rice to approve an amendment to the Professional Services Agreement (PSA) between the City of Elko and Chilton Engineering & Surveying, Ltd.; limited by \$5,510.00 to cover the additional work for engineering services associated with the Silver Street Pavement Resurfacing Project; 5th Street to Idaho Street.**

**Motion passed unanimously.**

- C. Review and possible approval of an Agreement for Professional Engineering Services for the WRF Reuse Expansion Project, and matters related thereto.  
**ACTION ITEM**

Provided in your packet for review is an agreement with Knight Piesold and Company to provide professional engineering services for the Reuse Site Expansion Project in the amount of \$89,963. The reuse site is currently being over utilized and requires additional rapid infiltration basin (RIBs) to meet the current and future demand. This project is part of the approved December 2009 Master Plan and part of the 2010/2011 capital request. Initial studies have been completed with Knight Piesold evaluating the usage of the north pivot area for this expansion. FPS

Mayor Franzoia questioned how large of an expansion.

WRF Superintendent Sawyer indicated it would add three ponds; approximately seventeen acres.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Elquist to approve an Agreement for Professional Engineering Services for the WRF Reuse Expansion Project with Knight Piesold in the amount of \$89,963.**

**Motion passed unanimously.**

- D. Review, consideration, and possible authorization for Staff to solicit bids for the Solid Waste Facility, Mobile Litter Fencing, and matters related thereto.  
**ACTION ITEM**

The Solid Waste Facility is required to control wind blown trash pursuant to our permit with the State of Nevada. The panels we currently have are inadequate and do not perform well. The type of litter fencing we would like to acquire is engineered for wind loading, and is twice as tall as the current fencing with much smaller openings in the mesh than the current fencing. This item was budgeted for in the Landfill Capital Equipment Fund. DWS

Public Works Director Strickland believed this would provide a better means of controlling litter and would be used around the tipping face to replace the older fencing. The panels can be picked up with any piece of equipment currently at the landfill and moved to another location as the tipping face moves.

Councilman Rice referred to the budget shortfalls; has Staff weighted this item against other priorities for the year.

Mr. Strickland advised the Landfill is an Enterprise Fund; separate from our other issues.

**\*\* A motion was made by Councilman Elquist, seconded by Councilman Rice authorizing Staff to solicit bids for the Solid Waste Facility, Mobile Litter Fencing.**

**Motion passed unanimously.**

- E. Review, consideration, and possible authorization for Staff to solicit bids for the Public Works Department for Plantmix Bituminous Pavement materials to be used for the 2010 Construction Season, and matters related thereto. **ACTION ITEM**

This is an annual bid request for Plantmix Bituminous Pavement materials based upon a unit price per ton amount. The materials are primarily used by the Public Works Department on streets, but the material may also be used by other departments as needed. DWS

Public Works Director Strickland advised the annual bid includes a clause that states we can increase or decrease the quantities. We have the right to increase by 100% and to decrease by 50%. We are experiencing cutbacks in Public Works; hot mix is one of the line items affected; the numbers and provisions in the contract allow us room if the budget were to bounce back, it still works for us; but if we have to cut them we can still meet the minimum threshold.

Mayor Franzoia questioned if the prices were comparable to last year.

Mr. Strickland indicated the prices have remained steady.

**\*\* A motion was made by Councilman Conner, seconded by Councilman Elquist authorizing Staff to solicit bids for the Public Works Department for Plantmix Bituminous Pavement materials to be used for the 2010 Construction Season.**

**Motion passed unanimously.**

## **II. UNFINISHED BUSINESS**

- A. Review, consideration, and possible suspension, cancellation, or revocation of a Business License issued to Mr. Alejandro I. Perez due to failure to complete required building improvements at 248 River Street, and matters related thereto. **ACTION ITEM**

On October 13, 2009 the Council approved a deferral of required building improvements at 248 River Street contingent upon meeting specific benchmarks. The first required benchmark was not met within the timelines set by the Council. SO

City Manager Calder requested this item be tabled; due to recent events the license holder is now in compliance.

Mayor Franzoia requested further clarification on whether the business was in compliance.

Building Official Schnoor advised he inspected the site today; the parking lot has been marked for handicap parking. In addition, Staff received a full set of drawings from a local architect to complete the entire project. Staff believes the owner is moving forward and we should see completion in the near future.

City Manager Calder acknowledged Building Official Schnoor's statement but advised he was still recommending the item be tabled until the improvements are completed; we may need to bring this back before the council.

**\*\* A motion was made by Councilman Conner, seconded by Councilman Elquist to table this item.**

**Motion passed unanimously.**

### **III. NEW BUSINESS**

- A. Review and approval of pending Special Events, and other matters related thereto.  
**ACTION ITEM**

This item has been added to the agenda in order to consider any application for Special Events received by the Clerks Office. Staff will report on any application on file. SO

There were no special events.

- B. Review, consideration, and possible action to authorize Staff to give a landfill voucher to adult volunteers that participate in the "Take Pride in Your Community Day/Pride Day" Cleanup Event, and matters related thereto.  
**ACTION ITEM**

This year's "*Take Pride in Your Community Day/Pride Day*" Cleanup Event is scheduled for Saturday, April 24, 2010. For the last four years, the Council has provided one voucher to the adult volunteers that were involved in cleaning public property/right-of-ways. The voucher concept was very popular with the volunteers and affords them the same opportunity to remove waste from their personal property and dispose of it without having to pay a tipping fee at the landfill. In order to provide these volunteers the same opportunity as other citizens, these vouchers would be good for one day only and expire two weeks after the event date. DWS

Mayor Franzoia questioned the number of vouchers utilized last year.

Public Works Director Strickland estimated one hundred forty-two were redeemed.

**\*\* A motion was made by Councilman Elquist, seconded by Councilman Rice authorizing Staff to give no more than one landfill voucher, per family, to adult volunteers that participate in the “Take Pride in Your Community Day/Pride Day” Cleanup Event.**

**Motion passed unanimously.**

- C. Review and possible nomination of student applications for the Nevada League of Cities & Municipalities Youth Award and Scholarship Program, and matters related thereto. **ACTION ITEM**

The Nevada League of Cities sponsors a Nevada Youth Award and Scholarship Program to recognize public/community service and to encourage Nevada’s young people to become involved in benefiting their communities.

The City of Elko did not receive any applications for the Scholarship Program.

The City of Elko received one application for the Youth (Junior High) Award Program. The Council may forward this application to the “award” committee for consideration. There will be one first place winner who will receive a \$100 check and three runner-ups who will each receive a \$50 check. SO

City Clerk Owen advised Griffin Barker, Adobe Middle School submitted the one application for the Youth Award Program.

**\*\* A motion was made by Councilman Conner, seconded by Councilman Elquist to submit the one application received to the Nevada League of Cities for consideration.**

**Motion passed unanimously.**

- D. Consideration of a request to pursue a change in the City Charter to allow for elections in November, at the same time as the general election, and other matters related thereto. **ACTION ITEM**

On April 14, 2009, the Council supported AB256, which would have changed the City Charter regarding the election cycle. AB256 died during the last legislative session. Staff has been notified that ES&S will no longer program and maintain the City’s election equipment. The City Clerk has received approval from the State to utilize the County’s election equipment for the 2011 Election while working on a legislative bill to possibly change the election cycle to coincide with the County elections. Enclosed in the agenda packet is detailed information. SO

Mayor Franzoia questioned the cost to replace the City’s election equipment.

City Clerk Owen estimated \$60,000 which would not include the programming and maintenance every other year. Ms. Owen advised a memo was included in the packet that outlines various options.

Ms. Owen noted the County Clerk has indicated if we go to their cycle the estimated cost for City elections would be approximately \$6,000; currently it is approximately \$30,000. The City Clerk's Office will still have a lot of input and administrative work we now do; people will still file for office at City Hall, we will still be required to do the legal notices and will work closely with the County Clerk's Office on Election Day.

Ms. Owen stated AB256 included numerous cities; there were a few that did not want to change the cycle which could have caused the bill to fail. We would have a bill directly for the City of Elko to change our Charter; when the Legislature looks at it there will be a better chance of getting it passed.

Councilman Rice believed this was an opportunity for a higher voter turnout and more buy-in from the entire community in terms of local government.

City Manager Calder indicated the City would likely need our own bill sponsored by a local legislator.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Elquist directing Staff to pursue a change in the City Charter to allow for elections in November, at the same time as the general election.**

**Motion passed unanimously.**

- E. Review, consideration, and possible action to contract with the Secretary of State's Office and Elko County for the utilization of election equipment for the 2011 Elko City Municipal Election, and matters related thereto. **ACTION ITEM**

The City Clerk has provided detailed information and options for Council consideration in the agenda packet. SO

Mayor Franzoia questioned if this was simply a formality authorizing Staff to work out an arrangement with both entities.

City Clerk Owen verified that was correct; especially with the County Clerk's Office as the current clerk has announced her retirement; we want to make sure everything is in writing and everyone is in agreement with the City using that equipment.

Mayor Franzoia questioned who makes that decision.

Ms. Owen believed the County Commissioners make that decision.

**\*\* A motion was made by Councilman Elquist, seconded by Councilman Conner authorizing Staff to negotiate a contract with the Secretary of State's Office and Elko County for the utilization of their election equipment for the 2011 Elko City Municipal Election.**

**Motion passed unanimously.**

- F. Review, consideration, and possible initiation of fees for the processing and distribution of Engineering and Geographic Information System (GIS) data in

electronic format pursuant to NRS 239.051-.055, and matters related thereto.  
**ACTION ITEM**

The Engineering Dept. has produced data that can be used by engineering firms and businesses alike for development use in the City of Elko. At this time we do not have any fees for processing this data for those that request this information for their use. JD

Civil Engineer Draper advised Staff has spent two years building up the GIS data; now they would like to find a way to get that information out to possible developers in the city that may find the information useful.

Mr. Draper referred to the comparison spreadsheet included in the packet and indicated Staff looked at other communities that have developed this product and are using it; the spreadsheet shows what they are charging and what Staff proposes.

Mr. Draper indicated Staff would also like to incorporate a fee for engineering services. Any special events where they are required to provide traffic control plans or an area layout, can provide that and also charge them for our time to produce that information.

Mayor Franzoia questioned if this would fall under a business impact.

City Manager Calder believed to err on the side of caution we would follow the Business Impact Statement procedure; it would have a direct impact on businesses i.e. engineering firms.

Mayor Franzoia noted this is specialized data; who would the Business Impact be sent out to?

City Manager Calder advised it would be sent to all engineering firms in the city.

Mr. Draper verified most requests come from engineering firms; they request it because they have a developer looking at a piece of land.

Mayor Franzoia questioned whether Staff had spoken with any engineers about the plan; do they show an interest this would be viable for them?

Mr. Draper indicated Staff has not spoken with any engineering firms about the project. However, Kimley-Horn was working on issues at the airport and looking for contour data; they came back with a cost of \$40,000 to fly the airport and produce the data; it was something we already had and were able to provide to them. Two years ago when we purchased the Pictometry we also purchased LiDAR at a cost of \$27,000; that program produces contour data for the entire city.

Mr. Draper noted is proposing to charge \$250.00 per panel; for the entire city there are fifty panels which equals out to \$12,500. The cost to survey that entire area would be \$15,000 to \$20,000 for one panel.

Councilman Elquist wanted verification this cost was not a result of trying to provide this service.

Mr. Draper stated these are costs we have now anyway. The software will be a continuing cost and the survey equipment. Having this information saves Staff so much time and it is paying for itself.

Councilman Elquist referred to the utility data; was that for the entire city.

Mr. Draper verified it was; each utility is separate i.e. water utilities would be \$350; if they want sewer utilities that would be an additional \$350.

Councilman Elquist questioned if that information needed to be protected.

Mr. Draper advised it is public record. All the fees are processing fees to cover our expense. Staff is constantly updating the data to make it more accurate.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Elquist authorizing Staff to proceed with the initiation of the fees by following the resolution/ordinance process.**

**Motion passed unanimously.**

- G. Review, consideration, and possible direction to Staff to initiate the Business Impact Statement process to increase various licensing fees, including business, liquor, gaming, temporary merchants, peddlers, special event fees, parades etc., and matters related thereto. **ACTION ITEM**

The City Clerk's office is recommending an increase in licensing fees. Currently the City of Elko is 40% below the maximum amount that could be charged per State regulations. SO

City Clerk Owen advised fees were last increased in 2002. Staff conducted a survey of various fees charged for licenses from numerous cities including; N. Las Vegas, Henderson, Mesquite, Boulder City, Reno, Sparks, Carson City and Fernley. Based on that survey, Staff is recommending an increase of 20% for all licensing fees and a \$25.00 processing fee for all new regular business licenses; including liquor, gaming and brothel.

Mayor Franzoia was opposed to a processing fee and cautioned against raising fees too much.

Councilman Conner expressed concern over the proposed 20% increase; it is too much at one time. Councilman Conner also believed the proposed increase for parades would result in the city becoming parade-less.

Ms. Owen advised the 20% is for licensening fees only; the parade fee is a separate category. The fee increase needs to be considered if we are going to go through the Business Impact Statement process; there is a cost to that.

Councilman Elquist agreed. Ideally we can make adjustments every year but that requires a lot of overhead in sending out the Business Impact Statements.

Ms. Owen indicated approximately two thousand notices will need to be mailed out if we increase the fees; something to keep in mind if we want to do that every year.

Councilman Elquist didn't believe that was the best strategy. We want to be fair or at market place with our fees; people like stability in fees if possible; the fees should be set so they are good for three to five years. Councilman Elquist indicated if our fees are way below market he was okay with the 20%; he would like to know that it has been thought out and we aren't going to do this every year.

Mayor Franzoia questioned the 20%; what is the estimated dollar amount increase.

Ms. Owen estimated \$72,500.

Councilman Elquist questioned if any fees were higher than market or way below.

Mayor Franzoia questioned the comparison between larger cities such as Reno and Las Vegas to smaller communities such as Elko; is our market the same size.

Ms. Owen stated our fees are significantly lower than smaller areas i.e. Fernley and Winnemucca. Most of them start at \$100 for a business license; we are proposing \$34.00 which is still significantly lower.

Councilman Elquist questioned if that is what we wanted to do; or do we want to jump that fee up to what other communities of this size have.

Councilman Rice advised part of the reason for raising fees is to pay for all the indirect costs of granting a license; we aren't going to fill the gap.

Ms. Owen agreed and that is why Staff is considering a processing fee.

Councilman Rice questioned if the \$72,500 included the processing fee.

Ms. Owen stated it did not; in a typical year we may have two hundred new licenses so it would be \$25.00 on those.

Mayor Franzoia supported a processing fee for new licenses.

Ms. Owen stated that is what Staff is proposing.

City Manager Calder advised the Business Impact is an onerous process. If we put it out with the 20% increase adjustments can be made as we go along. You don't want to be too low but you want to be sensitive to economic environment. 20% is a sizeable increase even though it doesn't amount to much revenue in some cases. Ms. Owen has split the difference, we could go 40%; looking at the survey 20% is reasonable; as long as the council was okay with that amount going out in the Business Impact Statement. Mr. Calder indicated he was curious to see what the comments will be. The council will have the ability to change or modify the 20%. This is a good starting point based on the fact we haven't raised those fees in many years; we do need to recapture some of our costs.

City Manager Calder also had concerns over the processing fee; maybe we should look at one comprehensive fee slightly higher than 20% and make it simpler to administer.

Mayor Franzoia clarified at this time we are not looking at setting any rates; this is a proposal to get feedback from public.

City Manager Calder advised the parade fees would not be part of a Business Impact Statement; it doesn't impact a business directly.

Mayor Franzoia believed if someone's business was a non-profit it would be.

Ms. Owen advised per City Code, non-profit organizations are not required to have a business license. Staff is however looking at a means of tracking them; perhaps issuing a license but not charging a fee.

Mayor Franzoia questioned if there had been any parades by a non-profit business in the past few years.

Ms. Owen noted it is not uncommon for a person to put the parade in their own name.

City Manager Calder advised Staff has taken a hard look at parades; we are in a different environment in the state, in general fiscally than we were even a year ago. When you look at the actual costs that Staff is incurring to administer the parades i.e. sweepers, overtime, street closure and security, there are hard costs associated with parades. Even though we are proposing \$500 we are not trying to kill parades. Mr. Calder believed most clubs would be willing to pay a fee to participate in a parade which could help cover the cost. We have a \$1 million deficit in our General Fund; we are already making significant cuts in various services; it doesn't make sense to keep parades at a \$50.00 fee when we are cutting back in asphalt purchases, road projects, etc.

Councilman Conner indicated he was not opposed to an increase in parade permits; we just need to take it up at a slower rate.

City Manager Calder acknowledged parades are very popular here; as we go into our budget workshop there is going to be a lot of unpopular decisions this budget year based on our economic status. We don't have an option to not balance our budget. We would love to continue doing things as we have in the past but that is not going to be an option as we move forward. Staff will be presenting different options for the Council to consider; sometime none of those options are going to be popular; but one is going to have to be chosen.

Police Chief Zumwalt advised if a parade is done properly the hard cost to his department alone is approximately \$500 to \$750 for each parade; then you need to add in costs from the Street Department etc.

Mayor Franzoia questioned the cost to send out the impact statements.

Ms. Owen advised it would include copying fees, postage and legal publication fees.

Councilman Rice agreed we are looking at a different way of doing business in the next few months. This is an opportunity for the community to think about how much we want to pay for the things we enjoy; whether it is a parade or something else.

City Manager Calder advised Staff will include an introductory paragraph along those lines to address Councilman Rice's comments.

City Manager Calder noted some times with an impact statement you get no feedback; other times you get a lot. This would probably be one where we will get quite a bit of feedback. We will have to go through an analysis process to narrow it down into a summary form. If the survey shows the public is opposed to raising fees that will answer a question for Staff; now we'll know we need to go back and cut another \$72,000 out of the General Fund somewhere to compensate. Either way the information will be good information for Staff.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Elquist authorizing Staff to begin the Business Impact Statement process to increase various licensing fees.**

**Motion passed unanimously.**

Under further discussion Councilman Conner stated we need to seriously consider the amounts.

- H. Review, consideration, and possible direction to Staff to increase various fees charged by the Police Department, and matters related thereto. **ACTION ITEM**

The Chief of Police is recommending that the Police Department increase fees for fingerprint cards and work cards. These fees are currently below what other agencies charge. DZ

Mayor Franzoia questioned if any of the fees are state mandated.

Police Chief Zumwalt advised the fingerprint cards are mandated by several agencies.

Mayor Franzoia then questioned if this would be subject to the business impact statement process.

City Manager Calder advised it would depend; if an employer is paying for the cost of the card then yes it would. Mr. Calder clarified a Business Impact Statement is only required if it has an impact on businesses. When we are not required to do them we would rather bring forth a formal proposal. Tonight, the Council is not approving an increase in fees; you are authorizing Staff to look at the matter and bring back the specifics in a resolution format.

Councilman Elquist questioned how long since the last increase.

Chief Zumwalt was unable to provide that information.

Mayor Franzoia believed the fees were reviewed seven or eight years ago as a state mandate but was unsure if they were adjusted at that time. Beyond that the fees haven't been looked at in fourteen years.

Councilman Elquist supported a strategy or plan behind our fees; it seems more defensible, not only to the public but from an organizational standpoint.

City Manager Calder agreed. What ultimately happens is we are in a “boom-bust” cycle; when things are going great we don’t see a need to drive up fees; we want to keep them priced as low as we can; but in essence we are still subsidizing them in some form or fashion. City Manager Calder recommended a three-year window; the impact statement process is onerous; it doesn’t make sense to do them every year.

Referring to the fees, City Manager Calder commented the reality of it is we are probably on a 10-1 ratio with regard to the budget deficit. If we total up all the proposed fees we might be making up 10% of the proposed deficit; the other 90% is coming through cuts. We aren’t approaching this with the idea we will raise fees to balance our budget; but we are trying to make it as efficient as we can so we are not subsidizing and making a problem worse as we go forward. Next year could be far worse and we want to position ourselves as best we can for the subsequent fiscal years as well.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Elquist authorizing Staff to bring back a resolution to increase police fees.**

**Motion passed unanimously.**

- I. Review, consideration, and possible acceptance of proposed changes to fee structures for the Elko City Cemetery, and various other services provided by the Parks and Recreation Departments, and matters related thereto. **ACTION ITEM**

Staff has completed a benchmarking analysis of cemetery fees charged throughout the state and the region and is proposing changes to our fee structure based on the results of this analysis and a thorough review of actual costs incurred for services currently provided. Staff has also reviewed fees, policies, and City Codes pertaining to parks and facility usage and is also recommending changes in these areas. EH

Parks and Recreation Director Howes indicated fees have not been raised for at least six years. Staff is not proposing much of an increase but there are policy changes Staff would like the council to consider.

Mr. Howes gave a short presentation; see Exhibit ‘A’.

Mayor Franzonia questioned if Council was expected to vote on the issue at this meeting.

Mr. Howes first addressed cemetery fees and advised tonight’s presentation was to receive information and feedback; the cemetery fees would have to be changed through the resolution process and in City Code. Mr. Howes noted cemetery fees have not been increased since 1994. Staff believes the proposed fees are reasonable and consistent with what is being done across the state and in other states; if anything we are being very conservative. Mr. Howes advised the total cost of operation for the cemetery, at our current rate, we are funding through fees 22% of the operation of the cemetery; 78% of that is subsidized. The proposal before the council tonight

would increase that to approximately 44% which would lower our subsidy to somewhere in the 60% range. Mr. Howes stated his belief our standard of care, our quality of service on our cemetery is equal to or exceeds the majority of those surveyed; which is part of what you get when you pay for a plot.

Mr. Howes now addressed parks and facility usage. The parks department is trying to streamline the operation and focus on our core services; that will become more important in the coming years as budgets are decreased and possibly the level of seasonal staffing. Mr. Howes noted most of Friday and Monday are spent with setup and cleanup of events. Long-term plans include placing more permanent tables and structures in the park; it was part of the Recreation Fund budget for this current year; the economy has prevented that from happening. Mr. Howes indicated there is a lot proposed for the parks in addition to the fees; there are a number of issues Staff is trying to deal with i.e. established rate for area usage versus number of people, deposit amount for events over two-hundred people, etc.

Mayor Franzoia again questioned whether Staff wanted Council to make a decision at this meeting.

Mr. Howes stated a decision cannot be made at this time. There are a lot of areas the proposed changes deal with; not just fees; that Staff wanted the council to consider.

Mayor Franzoia questioned if Staff was going to propose we aren't going to expand any more parks because we can't afford to.

Mr. Howes advised not at this time; but it is reasonable.

Mayor Franzoia commented, if the fee structure is not approved, Staff may have to change how they do their job i.e. don't cut the grass as often as currently; because of the limitations we have.

Mr. Howes advised the proposed changes ease some of the current commitments and allow Staff to focus more on the core services; keeping the grass mowed, trimmed and the ball fields safe and playable.

Mayor Franzoia questioned the liability of people moving tables themselves; you know it happens all the time.

Mr. Howes was unable to provide that information at this time.

Mr. Howes continued and indicated there were other changes considered important; public, private and special events create a lot of confusion. Currently there is no charge for large public events and they probably are the events that create the most damage to the turf and leave the most trash for us to clean up.

Mr. Howes identified other concerns; no glass containers in the parks; and alcohol by permit only.

Mayor Franzoia questioned how you enforce it.

Mr. Howes advised the police department is already dealing with this issue.

Mayor Franzoia stated the matter could be discussed at a later time; this is all preliminary.

Mr. Howes stated it would not be an increased burden beyond what we are already doing; or very little; the police department is already responding to complaints regarding the issue.

Councilman Elquist believed it was a great discussion; he travels through the park and sees things that should be addressed.

Mr. Howes advised Staff hears complaints on the issue at least once a week. It is an important issue.

City Manager Calder informed the Council alcohol in the park is the number one complaint received in his office every summer. He relays the complaint to the police department and they do the best they can but given the current structure of city code there isn't a lot they can do in many cases. There are a lot of citizens out there that are fed up with the transient population utilizing the park for that purpose; this is not an issue with picnics etc.

Councilman Elquist advised he walks with his family in the morning and will not travel through the park to avoid this exact issue. This would encourage family friendly parks for sure; it is a great topic for discussion.

Mayor Franzoia questioned if the park system included the golf course; if so the wording needs to indicate the golf course is a separate operation.

Mr. Howes advised that wasn't the intention at this point.

Mayor Franzoia stated whatever is done in drafting something along that line it needs to be made clear the golf course is separate.

Councilman Elquist questioned if the over-riding role is what are we going to subsidize and what are we not. Again, it all goes back to what is our strategy.

Councilman Rice believed this all goes back to what Councilman Elquist has been talking about at previous meetings; our whole strategic planning. Councilman Rice stated the timing is perfect.

**\*\* A motion was made by Councilman Rice, seconded by Councilman Elquist to table this item.**

**Motion passed unanimously.**

#### **IV. PETITIONS, APPEALS AND COMMUNICATIONS**

- B. Review, consideration, and possible action regarding a request by Coldwell Banker Algerio/Q-Team Realty to waive all water fees, as well as monthly water usage fees associated with their proposed project to beautify the Elko County Cemetery, and matters related thereto. **ACTION ITEM**

A letter from Coldwell Banker Algerio/Q-Team Realty has been included in the agenda packet for review. RL

Carol Buckner with Coldwell Banker explained their intent to improve and enhance the Elko County Cemetery. There will be an historical monument at the entrance and an underground sprinkler system for lawn, trees and shrubs. They will also create a cookbook with pictures of the cemetery and stories of those buried there; all net proceeds from the sale of the cookbook will be solely used for the use and long-term survival of the project. They are present tonight asking the City of Elko to waive the water connection, water tap, water meter and water usage fees to install the underground irrigation system. Ms. Buckner thanked the Elko Band Council and Elko County Commissioners for their support.

Mayor Franzoia indicated this request is consistent with what we currently do at the City Cemetery.

**\*\* A motion was made by Councilman Conner, seconded by Councilman Rice to approve a request by Coldwell Banker Algerio/Q-Team Realty to waive all water fees, as well as monthly water usage fees associated with their proposed project to beautify the Elko County Cemetery.**

**Motion passed unanimously.**

Under further discussion Mayor Franzoia questioned if there was a need for a tap; or do they tap onto the existing water system that is adjacent.

Utilities Director Limberg advised there would need to be a separate tap. We typically go with a metered pit and meter; we aren't going to bill for the water usage so there is no reason for a meter unless you want to see what the actual usage is.

Mayor Franzoia questioned the meter type.

Mr. Limberg advised they are all similar; the only difference is the remote read device.

- A. Ratification of the Chief of Police issuing a 30-day temporary retail liquor license and possible approval of a regular retail liquor license to Jose Sanchez dba Pepe's Bar & Grill located at 232 Silver Street, Elko, NV 89801, and matters related thereto. **ACTION ITEM**

**\*\* A motion was made by Councilman Conner, seconded by Councilman Rice to ratify a 30-day temporary retail liquor license and approve a regular retail liquor license to Jose Sanchez dba Pepe's Bar & Grill located at 232 Silver Street, Elko, NV 89801.**

**Motion passed unanimously.**

## **V. 6:00 P.M. PUBLIC HEARINGS**

- A. Public comment period. **ACTION WILL NOT BE TAKEN**

This agenda item is to provide time for the general public to address the City Council regarding items of concern. Action cannot be taken at this time, but a matter can be set on the agenda for a future meeting, as appropriate.

There was no public comment.

## **I. APPROPRIATIONS**

A. Review and possible approval of Warrants. **ACTION ITEM**

**\*\* A motion was made by Councilman Elquist, seconded by Councilman Conner to approve the warrants as presented.**

**Motion passed unanimously.**

## **VI. REPORTS**

- A. Mayor and City Council
  - 1. Mayor Franzoia– not going after local government funds
  - 2. Councilman Rice – Would like formal presentation from television district re: KENV signal
- B. City Manager - Budget workshop March 9<sup>th</sup> @ 2:00 p.m. (tentative)
- C. Police Chief - Successful audit by homeland security for bomb grant
- D. Administrative Services Director
  - 1. Fee schedules were requested as part of budget process
  - 2. Sales tax for December up 37.5%
- E. Parks and Recreation Director -Feasibility Study selection narrowed to final 4, Staff will have recommendation at next council meeting

There being no further business, Mayor Michael J. Franzoia adjourned the meeting.

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Mayor Michael J. Franzoia

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Shanell Owen, City Clerk