

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

SS July 13, 2010

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, July 13, 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.

Mayor Present: Michael J. Franzoia

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

City Staff Present: Delmo Andreozzi, Assistant City Manager
Ryan Limberg, Utilities Director
Alan Kightlinger, Fire Chief
Shanell Owen, City Clerk
Dawn Stout, Administrative Services Director
Trent Moyers, Airport Director
Eric Howes, Parks and Recreation Director
Fritz Sawyer, WRF Superintendent
Scott Wilkinson, Development Manager
Jessica Johnson, Human Resources Manager
Will Lehmann, Police Captain
Lorraine Martinez, Accounting Supervisor
Ted Schnoor, Building Official
Ed Wynes, City Planner
Jeremy Draper, Civil Engineer
Linda Buffington, Recording Secretary

PLEDGE OF ALLEGIANCE

**APPROVAL OF MINUTES June 22, 2010 Regular Session Council Meeting
June 28, 2010 Special Session Council Meeting**

**** A motion was made by Councilman Johnson, seconded by Councilman Conner to approve the minutes as submitted.**

Motion passed unanimously.

I. APPROPRIATIONS

- B. Review, consideration, and possible approval of the submitted Request for Statement of Qualifications (SOQ's) and authorization to solicit SOQ's from qualified engineering firms to perform professional engineering services related to Effluent Disposal Evaluation for the Water Reclamation Facility, and matters related thereto. **ACTION ITEM**

The City is currently working to increase the reuse site water disposal capacity. Additionally, the East Humboldt River flows next to the WRF. The City ultimately seeks to increase the hydraulic capacity at the reuse site, or, as an alternative, reduce the hydraulic loading to the reuse site by increasing disposal through other means such as river discharge or direct injection wells. FPS

WRF Superintendent Sawyer advised legal counsel has reviewed and updated the SOQ. If approved, Staff will come back for Council to select a firm out of the top five.

Mr. Sawyer indicated this was necessary as we are starting to get bottled up at the reuse site. In addition, there are process issues with small equipment; we need to know what our abilities are to permit and what we can permit; that will dictate our plant upgrade. Mr. Sawyer advised nothing has ever been permitted for the Humboldt River; we may be able to permit some ground water injections. Staff wants to look at what is required to do the permitting and then back in to the process upgrade.

Councilman Elquist questioned if we are up against a regulation or are we looking ahead.

Mr. Sawyer stated we are looking ahead; we know we have issues at the reuse site in terms of disposal.

**** A motion was made by Councilman Elquist, seconded by Councilman Johnson to approve the submitted Request for Statement of Qualifications (SOQ's) and authorization to solicit SOQ's from qualified engineering firms to perform professional engineering services related to Effluent Disposal Evaluation for the Water Reclamation Facility.**

Motion passed unanimously.

- C. Review, consideration, and possible approval to award a contract for the WRF Equalization Basin Sealing Project-2010, and matters related thereto. **ACTION ITEM**

Council authorized Staff to solicit bids for this item at the May 11, 2010 meeting.

Sealing of the Equalization Basin is part of the approved December 2009 Master Plan and part of the FY 2010/2011 capital request. FPS

WRF Superintendent Sawyer advised two bids were received; Carson Unlimited for \$485,456.41 and Camino Constructors for \$443,956.00. Staff recommends Camino Constructors.

**** A motion was made by Councilman Elquist, seconded by Councilman Rice to award a contract for the WRF Equalization Basin Sealing Project-2010 to Camino Constructors in the amount of \$443, 956.00.**

Motion passed unanimously.

- D. Review, consideration, and possible approval to award a contract for the WRF Reuse RIB Expansion Project, and matters related thereto. **ACTION ITEM**

Council authorized Staff to solicit bids for this item at the April 27, 2010 meeting.

This project is part of the approved December 2009 Master Plan and part of the 2010/2011 capital request.

Bids were opened on June 25, 2010; five bids were received. Peavine Construction submitted the lowest base bid for \$917,409.80. Staff recommends awarding the base bid and Options 1-5 for a total amount of \$995,209.80 to Peavine Construction. FPS

**** A motion was made by Councilman Conner, seconded by Councilman Johnson to award a contract for the WRF Reuse RIB Expansion Project to Peavine Construction in the amount of \$995, 209.80.**

Motion passed unanimously.

- E. Review, consideration, and possible approval of relocation of existing power line and associated right-of-way, and matters related thereto. **ACTION ITEM**

This is part of the RIB Expansion Project. The transmission line needs to be relocated due to the encroachment into the project limits. Included in your agenda packet is an R-O-W Agreement with NV Energy. FPS

WRF Superintendent Sawyer advised five power poles have to be relocated and six installed for a cost of approximately \$36,000. The poles need to be moved because of the RIB expansion and associated dirt work. The poles will be moved about sixty feet and placed on the existing RIB.

**** A motion was made by Councilman Rice, seconded by Councilman Johnson to approve relocation of existing power line and associated right-of-way agreement.**

Motion passed unanimously.

- F. Discussion and possible authorization for Staff to solicit bids to re-seal the Primary Digester Exterior Concrete Dome, and matters related to thereto. **ACTION ITEM**

The primary digester requires re-sealing of the dome to protect the concrete from additional weather stresses. This is a tri-annual maintenance repair project utilizing a water proof spray on grout.

Staff is recommending approval to solicit bids to re-seal the primary digester exterior concrete dome. This is budgeted project. FPS

Mayor Franzoia questioned how often this was done and how Staff budgets for it.

WRF Superintendent Sawyer advised this is the second coating; Staff has it on a three-year cycle.

**** A motion was made by Councilman Conner, seconded by Councilman Johnson to approve and authorize Staff to solicit bids to re-seal the primary digester exterior concrete dome.**

Motion passed unanimously.

- G. Review, consideration, and possible action to approve an amendment to the Professional Services Agreement (PSA) between the City of Elko and Knight Piesold and Co. for the WRF 2010 North Pivot RIB Expansion Project, and matters related thereto. **ACTION ITEM**

This amendment would be for Knight Piesold to provide Construction Assistance QA/QC for this project in the amount of \$58,100.00. The City entered into the original agreement March 24, 2010. FPS

WRF Superintendent Sawyer advised the final agreement is complete; that was to do the engineering design. Knight Piesold has come in under budget by approximately 6% and has completed everything on time; Staff recommends they proceed with the QA/QC for the project.

**** A motion was made by Councilman Rice, seconded by Councilman Conner to approve an amendment to the Professional Services Agreement (PSA) between the City of Elko and Knight Piesold and Co. for the WRF 2010 North Pivot RIB Expansion Project or Knight Piesold to provide Construction Assistance QA/QC for this project in the amount of \$58,100.00.**

Motion passed unanimously.

- H. Review, consideration, and possible approval of grant requests from the City's portion of the Elko County Recreation Tourism Fund for Fiscal Year 2010/2011, and matters related thereto. **ACTION ITEM**

The City of Elko had not received all grant requests for the City's portion of the Elko County Recreation Tourism Funds prior to May 18, 2010 which was the final budget presentation and approval. Included in the agenda packet is a list of all grant requests for Fiscal Year 2010/2011 and includes all the financial information for the Tourism Fund. DS

**** A motion was made by Councilman Rice, seconded by Councilman Elquist to approve grant requests from the City's portion of the Elko County Recreation Tourism Fund for Fiscal Year 2010/2011.**

Motion passed unanimously.

- I. Consideration of a request from Milton Grisham of Elko Citizens Patrol to transfer \$18,833.20 of City of Elko funds to a newly established non-profit corporation, and matters related thereto. **ACTION ITEM**

The Elko Citizens Patrol has created a non-profit corporation and will no longer be directly affiliated with the City of Elko Police Department. As such, they have requested the remaining available funds attributable to the annual magic show and/or security assignments, less any charges owed to the City.

A letter from Milton Grisham and account analysis has been included in the agenda packet for review. CC

Mr. Grisham was present to explain the request and answer questions.

- ** A motion was made by Councilman Rice, seconded by Councilman Conner to approve a request from Milton Grisham of Elko Citizens Patrol to transfer \$18,833.20 of City of Elko funds to a newly established non-profit corporation.**

Motion passed unanimously.

- J. Review and possible approval of an Agreement for Professional Services with Summit Engineering Corporation for the design and construction management services for the Idaho Street Rehabilitation Project in an amount not to exceed \$1,405,250.00, and matters related thereto. **ACTION ITEM**

At the April 27, 2010 Council meeting, the City Council selected Summit Engineering Corporation to provide professional engineering services related to a Regional Road Repair Plan (primarily consisting of Idaho Street, but possibly including other regional roads if funding becomes available), and directed Staff to enter into negotiations to bring a Professional Services Agreement back for consideration and possible approval.

The submitted Professional Service Agreement (provided in the Council packet) with attached exhibits is broken into four (4) Phases:

- Phase 1: Investigation and Schematic Design (30%) not to exceed \$268,215.00 with the possible addition of various options.
 - Option 1: Cost Estimate for 12th Street and West Idaho Street \$2,845.00
 - Option 2: Concrete Section Investigation \$12,820
 - Option 3: Optional Utility Potholing \$42,120
- Phase 2: Preliminary Design (70%) not to exceed \$261,500.00 with the possible addition of various options.
 - Option 1: Street Light Design based upon light level analysis \$16,500
- Phase 3: Final Plans and Specification/Contract Documents not to exceed \$142,500 with the possible addition of various options.
 - Option 1: Special Event Banner Pole \$4,000.00
 - Option 2: Final Street Light Design \$8,250.00

Total of the Basic Design Services \$672,215.00 and \$86,535 in optional services.

- Phase 4: Administration of Construction and Related Services not to exceed \$630,100.00 with the possible addition of various options.
 - Option 1: Joint Testing \$16,400

Total of the Construction Services \$630,100.00 and \$16,400 in optional services.

Based upon available funding, Staff would recommend that the Council award a Professional Services Agreement to Summit Engineering Corporation for the Basic Design Services for the Idaho Street Rehabilitation Project inclusive of all associated options with the exception of Option 1 in Phase 2 and Option 2 in Phase 3 in an amount not to exceed \$734,000.00 and postpone awarding the Construction Services portion until funding becomes available, and subsequently augmented into the Capital Construction Fund for the balance of the required fees.
DS

**** A motion was made by Councilman Rice, seconded by Councilman Conner to table this matter.**

Motion passed unanimously.

II. NEW BUSINESS

- A. Review, consideration, and possible action to reappoint Planning Commission member John Anderson to a four-year term to expire July 2014, and matters related thereto. **ACTION ITEM**

John Anderson's term expires July 2010. Pursuant to City Code, Planning Commission members may be reappointed for additional terms. Mr. Anderson has indicated an interest to continue serving on the Planning Commission. EW

**** A motion was made by Mayor Franzoia, seconded by Councilman Rice to reappoint Planning Commission member John Anderson to a four-year term to expire July 2014.**

Motion passed unanimously.

- B. Review, consideration, and possible approval of an amended Elko Mountain Village Utility Service Extension Plan, and matters related thereto. **ACTION ITEM**

Council previously approved in concept the Elko Mountain Village Utility Service Extension Plan. This amended version reflects a reduction in acreage by removing property not presently annexed within the City limits and also a corresponding downward adjustment of tank sizing from 2.2 million gallons to 2 million gallons. In addition the proposed tank has been relocated to a slightly lower elevation. RL

Utilities Director Limberg advised this is essentially an updated and slightly revised plan. The original plan showed property that wasn't annexed into the City of Elko; that property was considered then for tank sizing.

Mr. Limberg indicated Aaron Robertson; representing Elko Mountain Village was present to answer any questions.

Mayor Franzoia questioned whether the new tank would be able to serve the area that was not annexed if it ever came in.

Mr. Limberg advised this tank wouldn't have served it originally; there was a higher tank for that. The amended plan shows a more accurate picture of what is there today and there will be several more reviews of this process.

**** A motion was made by Councilman Conner, seconded by Councilman Rice to approve an amendment to the Elko Mountain Village Utility Service Extension Plan.**

Motion passed unanimously.

- C. Review, consideration, and possible appointment of Sheri Eklund-Brown to the National Historic California Emigrant Trails Interpretive Center Advisory Board, and matters related thereto. **ACTION ITEM**

Due to the resignation of Zach Woodbury, there is one (1) vacancy on the National Historic California Emigrant Trails Interpretive Center Advisory Board. Ms. Eklund-Brown is currently an ex-officio member and has expressed an interest in serving. A letter of interest has been included in the agenda packet for review. CC

**** A motion was made by Mayor Franzoia, seconded by Councilman Conner to appoint Sheri Eklund-Brown to the National Historic California Emigrant Trails Interpretive Center Advisory Board.**

Motion passed unanimously.

III. RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance #714, an Ordinance adding Title 9, Chapter 1, and Section 55 to the Elko City Code entitled "Right-of-way Toll" imposing a right-of-way toll on the Elko Municipal Water Utility, and matters related thereto. **ACTION ITEM**

During the budget workshops, Staff was directed to bring back language imposing a 2.5% right-of-way toll on the Municipal Water Utility. Ordinance #714 adds the appropriate language to the Elko City Code to facilitate the toll. DS

Administrative Services Director Stout advised Staff originally hoped to have this adopted before July 1, 2010. While making changes to the code sections Staff neglected to change one section which said commencing on July 1st; we cannot do this retroactively. The earliest date it can be

implemented now with two readings would be August 1st; that represents approximately a \$13,500 loss to the General Fund.

**** A motion was made by Councilman Rice, seconded by Councilman Elquist to set for Second Reading, Public Hearing and possible adoption Ordinance #714, an Ordinance adding Title 9, Chapter 1, and Section 55 to the Elko City Code entitled “Right-of-way Toll” imposing a right-of-way toll on the Elko Municipal Water Utility.**

**Motion passed 3 to 2.
Mayor Franzoia and Councilman Johnson opposed.**

- B. First reading of Ordinance #715, an Ordinance adding Title 9, Chapter 5, Section 36 to the Elko City Code entitled “Right-of-way Toll” imposing a right-of-way toll on the Elko Municipal Sewer Utility, and other matters appropriately related thereto. **ACTION ITEM**

During the budget workshops, Staff was directed to bring back language imposing a 2.5% right-of-way toll on the Municipal Sewer Utility. Ordinance #715 adds the appropriate language to the Elko City Code to facilitate the toll. DS

Administrative Services Director Stout advised the same date issue pertained to this item as in the previous.

**** A motion was made by Councilman Rice, seconded by Councilman Elquist to set for Second Reading, Public Hearing and possible adoption Ordinance #715, an Ordinance adding Title 9, Chapter 5, Section 36 to the Elko City Code entitled “Right-of-way Toll” imposing a right-of-way toll on the Elko Municipal Sewer Utility; and note in the amendment Section One, Item One “commencing July 1” ought to read “commencing August 1, 2010”.**

**Motion passed 3 to 2.
Mayor Franzoia and Councilman Johnson opposed.**

- C. First reading of Ordinance #719, an Ordinance adding Chapter 15 to Title 1 of the Elko City Code entitled “Court of Record” which amends the present laws of the City to provide that the Municipal Court shall be a Court of Record as provided by NRS 5.010 and codifying that the practice and proceedings thereof must conform, as nearly as practicable, to the practice and proceedings in Justice’s Courts in similar cases, except as otherwise expressly provided by law, and matters related thereto. **ACTION ITEM**

Legal Counsel, Tom Coyle, advised this was initiated by District Judge Puccinelli. It is an item to change the Municipal Court to a Court of Record; at present we are not. West Wendover is the only other Municipal Court in Elko County that is a Court of Record. It would require that all proceedings in Municipal Court be audio recorded or transcribed by a court reporter; at present there is no such requirement but it is being done anyway; at this point the Municipal Court recordings are unofficial. The technology is already in place and the change would not result in any additional cost to the City of Elko. The primary effect would be in cases of appeal; at present when an appeal is made there is a process and you have a “Trial Anew” which requires the

subpoena of all witnesses and an appearance before the District Court Judge. If we were a Court of Record that process would be much shorter; a Notice of Appeal gets filed, the appellant would order a transcript, the transcript would be delivered to the parties then a briefing schedule would be set. You would research, write your brief then argue it in front of the judge. That would result in some judicial economy; you would not have the requirement to subpoena new witnesses and have a whole new trial.

Mr. Coyle expressed strong support of a Court of Record.

**** A motion was made by Councilman Rice, seconded by Councilman Johnson to set for Second Reading, Public Hearing and possible adoption Ordinance #719, an Ordinance adding Chapter 15 to Title 1 of the Elko City Code entitled "Court of Record" which amends the present laws of the City to provide that the Municipal Court shall be a Court of Record as provided by NRS 5.010 and codifying that the practice and proceedings thereof must conform, as nearly as practicable, to the practice and proceedings in Justice's Courts in similar cases, except as otherwise expressly provided by law.**

Motion passed unanimously.

- D. Review and possible approval of Resolution #20-10, a resolution approving the closing of the City of Elko Police Buy Fund Account with Wells Fargo Bank, and matters related thereto. **ACTION ITEM**

The City of Elko Police Department currently has a buy fund account with Wells Fargo Bank. The account has very little activity and is currently being charged \$8.00 per month in bank fees. The Police Department has requested to have the account closed due to the lack of activity. DS

Mayor Franzoia questioned what Staff would use in lieu of this.

Administrative Services Director Stout advised the next item addresses that issue.

**** A motion was made by Councilman Rice, seconded by Councilman Conner to approve Resolution #20-10, a resolution approving the closing of the City of Elko Police Buy Fund Account with Wells Fargo Bank.**

Motion passed unanimously.

- E. Review, consideration, and possible approval of Resolution No. 21-10, a resolution establishing a petty cash fund for the City of Elko Police Department Confidential Buy Fund in the amount of Five-Hundred Dollars (\$500.00), and matters related thereto. **ACTION ITEM**

The City of Elko Police Department deals with confidential matters on an occasional basis. Although the transactions are infrequent, they usually happen during non-business working hours requiring immediate payment to facilitate confidential law enforcement transactions. Staff is recommending that the Police Department establish a petty cash fund in the amount of Five Hundred Dollars (\$500.00) to facilitate the confidential needs of the department. DS

**** A motion was made by Councilman Conner, seconded by Councilman Elquist to approve Resolution No. 21-10, a resolution establishing a petty cash fund for the City of Elko Police Department Confidential Buy Fund in the amount of Five-Hundred Dollars (\$500.00).**

Motion passed unanimously.

IV. PETITIONS, APPEALS AND COMMUNICATIONS

- A. Ratification of an application for a retail beer and wine liquor license, and catering liquor license and issuing said license to Victoria Gravelin, dba Donuts n Mor located at 460 Commercial Street, Elko, NV 89801, and matters related thereto. **ACTION ITEM**

Police Captain Lehmann advised Staff recommends approval.

**** A motion was made by Councilman Conner, seconded by Councilman Johnson to issue a retail beer/wine liquor license and a catering liquor license to Victoria Gravelin, dba Donuts n Mor, located at 460 Commercial Street, Elko, NV 89801.**

Motion passed unanimously.

- B. Ratification of an application for a full retail liquor license and issuing said license to Heber Barney, dba Elko CW's located at 673 Cimarron Way, Elko, NV 89801, and matters related thereto. **ACTION ITEM**

Police Captain Lehmann advised Staff recommends approval.

**** A motion was made by Councilman Conner, seconded by Councilman Johnson to ratify the 30-day temporary liquor license and issue a full retail liquor license to Heber Barney, dba Elko CW's located at 673 Cimarron Way, Elko, NV 89801.**

Motion passed unanimously.

- B. Ratification of the Chief of Police issuing a 30-day temporary retail liquor license and issuing a regular retail liquor license to Jon Eklund, dba J'Ossies located at 1430 Idaho Street, Elko NV 89801, and matters related thereto. **ACTION ITEM**

Police Captain Lehmann advised Staff recommends approval.

**** A motion was made by Councilman Conner, seconded by Councilman Rice to ratify a 30-day temporary retail liquor license and issue a regular retail liquor license to Jon Eklund, dba J'Ossies located at 1430 Idaho Street, Elko, NV 89801.**

Motion passed unanimously.

- C. Ratification of the Chief of Police issuing a 30-day temporary beer & wine liquor license and issuing a regular beer & wine license to Judith Seymore and Trinity

Steffensen, dba Let Them Eat Cake Bakery located at 1069 Idaho Street, Elko, NV 89801, and matters related thereto. **ACTION ITEM**

Police Captain Lehmann clarified this is for packaged retail beer and wine only; Staff recommends approval.

**** A motion was made by Councilman Conner, seconded by Councilman Elquist to ratify the 30-day temporary packaged beer & wine liquor license and issue a regular beer & wine liquor license to Judith Seymore and Trinity Steffensen, dba Let Them Eat Cake Bakery located at 1069 Idaho Street, Elko, NV 89801.**

Motion passed unanimously.

- E. Review, consideration, and possible action to accept a petition for the vacation of a utility easement located on a portion of APN 001-571-008 consisting of an area approximately 15 feet in depth by 115 feet in length filed by Debbie Seymore-Dobbs and processed as Vacation No. 1-10, and matters related thereto. **ACTION ITEM**

The applicant wants to build an addition onto the home on the property. Staff contacted all of the local utility companies informally to see if they used the easement. The answer received was no one used the easement so the applicant filed the application. EW

**** A motion was made by Councilman Elquist, seconded by Councilman Johnson to accept a petition for the vacation of a utility easement located on a portion of APN 001-571-008 consisting of an area approximately 15 feet in depth by 115 feet in length filed by Debbie Seymore-Dobbs and processed as Vacation No. 1-10 and to forward the matter to the Planning Commission.**

Motion passed unanimously.

VI. REPORTS

- A. Mayor and City Council
1. Councilman Conner –
 - a. Thank you to all Staff for help with Basque Festival 4th of July Parade
 - b. Appreciation to Police Department for security at Silver State Stampede
 2. Councilman Rice –
 - a. Acknowledged community for helping City through budget process
 - b. Acknowledged Staff for salary cuts
- B. Utilities Director
1. Ruby View Tank painting update
 2. Emergency repair pulled Well # 12 – replacing pump & column pipe at a cost of approximately \$27,000. Pump originally installed in 1937
- C. Human Resources Manager

1. Company picnic August 14th @ Johnny Appleseed Park
- D. City Clerk
 1. NV. Department of Taxation office closed causing longer turn around in obtaining Business License
- E. City Planner
 1. July 15th RDAAC Meeting
 2. July 20th Master Plan Workshop
- F. Parks and Recreation Director
 1. Southside Courts open for use – July 31st hosting basketball tournament beginning at 9:00 a.m.
- G. Civil Engineer
 1. Silver street update
 - a. Previously discussed \$73,000 Change Order has been resolved
 - b. State will allow phased plan
 1. Approved \$18,000 for contractor work
 - a. \$12,000 in front of Nevada Dinner House
 - b. \$5,000 for ADA ramp @ 5th & Silver
 - c. Credit after paving; project likely will come in under budget
 2. Start milling 7/14 @ 7:00 a.m.
 3. Finish paving by 7/23
 4. Federal Highways reviewed project; pleased with everything except ADA issues
 5. 1st pay request submitted and expecting reimbursement for progress payment soon

I. APPROPRIATIONS

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

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

Mayor Franzoia called for a recess until 6:00 p.m.

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 at this time.

- B. Second reading, public hearing and possible adoption of Ordinance #718, an Ordinance amending Title 3, Chapter 2, Section 17 of the Elko City Code entitled

“Traffic, Access, Parking and Loading Regulations” amending the procedure for public access to City of Elko Right-of-Way or Easements, clarifying the requirement for civil improvement plan submittal and approval by the City of Elko, and other matters appropriately related thereto. **ACTION ITEM**

Civil improvements are required with the division of property within the City. The amendment is being proposed to clarify the extent of civil improvements required for development of lots of record where civil improvements are required to address issues such as vehicular access, movement and safety, pedestrian safety, and storm water management. SW

There was no public comment on this item.

Councilman Elquist noted this was just under access and questioned if there was a need for this kind of language in off-street parking requirements.

Development Manager Wilkinson believed City Code is clear on what is required in those areas. There hasn't been a lot of confusion but people do ask why they have to pave the driveway to their garage. It is very clear in City Code that your parking has to be hard-surfaced. It is also clear that if you are subdividing property or parceling property the civil improvements are required. It is implied throughout our code that civil improvements are required but it is not explicit if you have a lot of record that you have to put in i.e. paving. Our code on the other hand is very explicit that if you have a lot of record certain things happen i.e. you have to put in curb, gutter and sidewalk. Our code assumes that a paved street exists and we do have a few areas that don't have paved streets and Staff wanted to address that.

**** A motion was made by Councilman Elquist, seconded by Councilman Conner to adopt Ordinance #718, an Ordinance amending Title 3, Chapter 2, Section 17 of the Elko City Code entitled “Traffic, Access, Parking and Loading Regulations” amending the procedure for public access to City of Elko Right-of-Way or Easements, clarifying the requirement for civil improvement plan submittal and approval by the City of Elko.**

Motion passed unanimously.

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

Mayor Michael J. Franzoia

Shanell Owen, City Clerk