

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

SS September 13, 2011

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, September 13, 2011.

This meeting was called to order by Mayor Chris J. Johnson

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

Mayor Present: Chris J. Johnson

Council Present: Councilman Jim Conner arrived @ 5:20 p.m.
Councilman Jay Elquist
Councilman Richard Perry
Councilman John Rice

City Staff Present: Curtis Calder, City Manager
Delmo Andreozzi, Assistant City Manager
Shanell Owen, City Clerk
Don Zumwalt, Police Chief
Dawn Stout, Administrative Services Director
Ryan Limberg, Utilities Director
Dennis Strickland, Public Works Director
James Wiley, Parks Superintendent
Fritz Sawyer, WRF Superintendent
Antonio Mendive, Water/Sewer Superintendent
Scott Wilkinson, Development Manager
Ted Schnoor, Building Official
Josh Carson, Deputy Fire Marshal
Jeremy Draper, Civil Engineer
Linda Buffington, Recording Secretary

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the general 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**

Josh Brown introduced Eric Hardesty, Site Manager; for Waste Management/Elko Sanitation.

Elko County Commissioner, Glen Guttry, gave an update on the Fire Science Academy.

I. PERSONNEL

B. Employee Introductions:

- 1) Officer Keith Kiechler – Patrol Officer, Police Department
- 2) Ms. Alyssa Thompson, Animal Shelter Worker
Ms. Catherine Werthman, Animal Shelter Worker

A. Appointment of Mr. Matt Griego as the City of Elko Fire Chief, including the administration of the Oath of Office, and matters related thereto. **FOR POSSIBLE ACTION**

During the August 23, 2011 Special City Council Meeting, the Council selected Mr. Matt Griego for the position of Fire Chief and authorized a job offer to be made. Staff is pleased to report that the job offer was accepted at a salary of \$93,838.88, effective September 13, 2011. CC

**** A motion was made by Councilman Rice, seconded by Councilman Elquist to appoint Matt Griego as the City of Elko Fire Chief at a salary of \$93,838.88, effective September 13, 2011.**

Motion passed unanimously.

Pinning of the badge was carried out by Tonya Griego, wife of Matt Griego.

The Oath of Office was given to Matt Griego by Mayor Johnson.

Mr. Griego expressed his pleasure at being accepted for the position of Fire Chief.

APPROVAL OF MINUTES - FOR POSSIBLE ACTION:

**July 26, 2011 – Special Session
August 9, 2011 – Special Session
August 9, 2011 – Regular Session
August 11, 2011 – Special Session
August 17, 2011 – Special Session**

The minutes were accepted as presented.

I. PERSONNEL

- C. Review and possible approval of an Agreement between the City of Elko and the Elko Police Officers Protective Association, July 1, 2011 – June 30, 2012, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko has concluded negotiations for FY 2011/2012. A copy of the proposed collective bargaining agreement has been included in the agenda packet for review. CC

City Manager Calder advised included in the agenda packet was a red line version of the agreement. Also, the Fiscal Impact Disclosure and a summary of the changes were on the dais in front of Council.

City Manager Calder reviewed the fiscal impact and changes to the agreement; see Exhibits ‘A & B’.

**** A motion was made by Councilman Rice, seconded by Councilman Perry to approve an Agreement between the City of Elko and the Elko Police Officers Protective Association, July 1, 2011 – June 30, 2012.**

Motion passed unanimously.

- D. Review and possible approval of an Agreement between the City of Elko and the Elko Firefighters Association, Local 2423, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko has concluded negotiations for FY 2011/2012. A copy of the proposed collective bargaining agreement has been included in the agenda packet for review. CC

City Manager Calder advised included in the agenda packet was a red line version of the agreement. Also, the Fiscal Impact Disclosure and a summary of the changes were on the dais in front of Council.

City Manager Calder reviewed the fiscal impact and changes to the agreement; see Exhibits ‘C & D’.

City Manager Calder advised there was one last minute revision to the contract; it has no fiscal impact and is with regard to Article 24 – Uniforms and Allowance. The language in the red lined agreement called for a \$500 payment upon hire and then the employee was to purchase their own uniforms but due to the tax implications with that, and not being able to have enough money to purchase all their uniforms we reverted back to the original language which was “the City would pay for the first set of uniforms”. The allowance would be the only change to that article which would be the allowance going from a \$100 per month allowance to a \$150 per month allowance.

City Manager Calder noted the motion would need to include approval of that amendment.

**** A motion was made by Councilman Rice, seconded by Councilman Perry to approve an Agreement between the City of Elko and the Elko Firefighters Association, Local 2423 for July 1, 2011 through June 30, 2012 with the following amendment; Article 24, Section A and Section D to be read as was originally drafted.**

Motion passed unanimously.

II. APPROPRIATIONS

- B. Review, consideration, and possible approval of an increase in the amount of funds available in the force account for the Regional Road Repair Project (Idaho Street), and matters related thereto. **FOR POSSIBLE ACTION**

As part of the Idaho Street Project, a force account was established allowing Staff to authorize change orders for the project up to \$150,000. This item is intended to allow Staff the opportunity to update council as to the current status of the force account and to request an increase in the funds available in the force account if warranted. JD

Civil Engineer Draper provided a project summary including costs to date and % complete; see Exhibit 'E'.

Mr. Draper advised the Force Account Sub-Total is \$218,719.10. Much of that has to do with extra work items by Pay Item; which is any over runs we have i.e. additional pipe, concrete etc. Mr. Draper advised with that we do have a lot of cost savings that are not showing up yet; we are just starting to see those savings come through.

Mr. Draper advised no increase to the account was being requested at this time.

Mr. Draper noted the summary includes the oil tank removal cost. Staff has made application with NDEP for reimbursement from the State Petroleum Fund. A letter was received yesterday indicating our case will be reimbursed once we meet all the requirements; Summit Engineering is providing assistance to help us work through those requirements. There will be a \$500.00 deductible but the remaining costs should be covered.

Mr. Draper informed the Council the spreadsheet differs from the action sheet; the spreadsheet was updated yesterday to show the most current data.

No action was taken on this item.

- C. Review, consideration, and possible approval of the final acceptance of the Public Works Department Microsurface Project - Fiscal Year 2011, and matters related thereto. **FOR POSSIBLE ACTION**

At the June 28, 2011 meeting, Council awarded the Microsurface Project to American Pavement Preservation LLC. American Pavement Preservation placed \$149,860.92 of microsurface on City Streets; \$56,439.54 of microsurface on the

Downtown Corridor Parking Lots, and \$4,320.29 of microsurface on the 12th Street bridge decks. American Pavement Preservation LLC has satisfactorily completed the project. DS

Public Works Director Strickland indicated the project turned out very nice and Staff is pleased.

Councilman Elquist commented there have been a lot of positive comments on this project.

Councilman Rice noted the corridor looks great and the small areas of curb reconstruction really cleaned the area up.

Councilman Perry questioned the scope of the bed rehab.

Mr. Strickland advised it was to replace as much of the broken concrete as we could, tune up the irrigation in there and put some new ground cover and plants in.

**** A motion was made by Councilman Rice, seconded by Councilman Elquist to approve final acceptance of the Public Works Department Microsurface Project - Fiscal Year 2011.**

Motion passed unanimously.

- D. Review, consideration, and possible approval to solicit bids to provide and install current density baffles in the East Secondary Clarifier, and matters related thereto.
FOR POSSIBLE ACTION

The function of current density baffles is to remove increased quantities of total suspended solids and turbidity from the effluent. This component will help ensure the discharged water meets permit limitations during future plant upgrades. FPS

WRF Superintendent Sawyer informed the Council this is a budgeted line item for the current year.

Mr. Sawyer briefly explained the project and indicated Staff is trying to be proactive.

**** A motion was made by Councilman Elquist, seconded by Councilman Perry authorizing Staff to solicit bids to provide and install current density baffles in the East Secondary Clarifier.**

Motion passed unanimously.

- E. Review, consideration, and possible approval to award a contract for the annual scarification of the Rapid Infiltration Basins (RIBs), and matters related thereto.
FOR POSSIBLE ACTION

Council authorized Staff to solicit bids for this item at the August 9, 2011 meeting. Bids were opened on September 2, 2011. Three bids were received. Great Basin Engineering was the low base bid at \$62,500.00 and the low alternate

bid at \$12,000.00. Staff recommends awarding the project to Great Basin Engineering. RL

WRF Superintendent Sawyer indicated Staff targeted \$85,000.00 for this project. The bids received ranged from \$62,500.00 to \$95,000.00. Staff would like to include the Add Option #1; removal of extra dirt at a cost of \$12,000.00. Total project cost would be \$74,500.00 which is still under our budgeted cost.

Councilman Elquist requested clarification of the Add Option.

Mr. Sawyer advised it was to remove extra dirt within the RIB's.

Councilman Elquist questioned whether Great Basin Engineering was using the same equipment as the others; that was all spec'd out?

Mr. Sawyer advised the equipment was not spec'd out; that was left up to the contractor. Typically, they use dozers and scrapers.

**** A motion was made by Councilman Perry, seconded by Councilman Rice to award a contract for the annual scarification of the Rapid Infiltration Basins (RIBs) to Great Basin Engineering for a total of \$74,500.00.**

Motion passed unanimously.

- F. Review, consideration, and possible final acceptance of the WRF Cleaning of the Primary Digester and Decant Basins Maintenance Project; and matters related thereto. **FOR POSSIBLE ACTION**

This project was awarded to Waste Water Solids Management Company on June 14, 2011, in the amount of \$122,825.00. There were no change orders for this project. FPS

WRF Superintendent Sawyer advised the contractor did a great job and the inspections of the Primary Digester look very good.

Councilman Perry questioned whether the contractor finished on time.

Mr. Sawyer indicated they did not and explained the reason. The contractor had set up equipment and then left for a week because they had another project to complete; then they had some equipment breakdowns. The contractor continued to press forward every time they could and brought in factory vendors to repair their equipment.

Mayor Johnson questioned if there was an actual completion date.

Mr. Sawyer advised the contract was for twenty-one days.

Mayor Johnson then questioned whether the contractor had gone through the correct procedure to get extended days.

Mr. Sawyer indicated Staff discussed it with them. In addition; the contractor showed good faith and kept trying to work through the issues.

Mayor Johnson questioned whether the City can demonstrate they are treating all contractors the same i.e. that it is fairly standard policy however it was handled, if this contractor was not done in the contract time frame they could go to other projects because it didn't cause any issues.

Mr. Sawyer believed that to be true.

Utilities Director Limberg advised with projects at the WRF or the Water Department Staff first looks at whether there are the damages we may be encountering if the project is delayed i.e. if we can't use the facility or things like that. In this instance, one of the two locations that were to be cleaned was a location that hasn't been used in quite some time; in that respect we didn't suffer any actual damages by the delay.

Mr. Sawyer indicated the delay in cleaning the Primary Digester actually worked to our benefit. We received the fourth channel for the rotary press so that allowed us to push right into that project and allowed us to fill up the Secondary Digester while we put that together. The timing worked out well even though it looks like it was delayed for us.

**** A motion was made by Councilman Perry, seconded by Councilman Elquist to approve final acceptance of the WRF Cleaning of the Primary Digester and Decant Basins Maintenance Project.**

Motion passed unanimously.

IV. PETITIONS, APPEALS AND COMMUNICATIONS

- A. Review and consideration of an appeal from Mr. Carl Thorsen regarding Building Permit Application # 11-383, 576 square foot detached garage at 2102 Liberty Drive, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

Application for a 576 square foot garage was submitted to the City of Elko Building Department on July 8, 2011. The Development Department denied the application based on the fact that public improvements for a portion of Stitzel Road on August 15, 2011. Section 2-13-3 requires the construction of Sidewalk, curb and gutter under certain circumstances. Section 3-2-17 requires construction of public improvements when access City right-of-way or easements. Staff believes public improvements are required for the project under both provisions of City code. The public improvements are not in place along a segment of Stitzel Road where lot area was added to the existing lot as shown on File 543470 recorded on November 14, 2005. SW

Development Manager Wilkinson directed the Council's attention to an overhead identifying the area under discussion and the missing public improvements.

Mr. Wilkinson noted under the building section of city code it states that when you have a building addition or new construction of 400 square feet or more; you have to add curb, gutter and sidewalk. Under the traffic, access and parking section of city code there is a provision that states if you are accessing city right-of-way or alleys you have to do public improvements similar to what is required under the subdivision section of city code. In this case it would be; curb, gutter, sidewalk and additional paving there.

Mr. Wilkinson advised Staff is cautious how they treat this type of situation. Although this is a residential zone we don't view it any differently than asking someone to put in public improvements if they want to access Manzanita. We are having a lot of those concerns come up as people develop down on Manzanita i.e. BLM and the U.S. Forest Service. Staff believes if you are accessing a right-of-way you have to have a paved street along your frontage; the other requirements are clearly defined under the building code.

Mr. Wilkinson indicated the packet includes the Record of Survey, File 543470; it is a boundary line adjustment record of survey map. Typically a map like that reflects a land transaction that has already occurred.

Brent Gardner advised he was present to assist Mr. Thorsen. Mr. Gardner believed when the property line adjustment was done the city should have informed Mr. Thorsen he would have to do improvements. The plan was to build a storage shed for a lawn mower and a vehicle for half a year; not daily use like a regular garage.

Mr. Gardner indicated the expense of putting in curb, gutter and sidewalk along with the paving and grading on Stitzel Road, which is a dead end road; is quite expensive and a hardship for Mr. Thorsen.

Mr. Thorsen addressed the Council and advised when he purchased the property in 2005 and all the paper work was signed nothing was said about the improvements. Mr. Thorsen noted Section 2-13-3 requires the construction of sidewalk, curb and gutter under certain circumstances; what does that mean. Mr. Thorsen believed there are certain circumstances here and for him to do what the City is asking will be a hardship; but he is willing to compromise.

Mr. Wilkinson advised to clarify that issue Staff would have to research the actual transaction. All Record of Surveys are going to be signed by the City Engineer but most all of them are an after the fact reflection of what has transpired in the land transaction.

Mr. Thorsen believed both sides have made mistakes and there were certain circumstances to be considered with this appeal.

Councilman Rice questioned if this was something that had to be taken care of in the event, at some point in the future, they wanted to sell the property?

Mr. Wilkinson indicated that unless there is something of record that puts that burden on the property in the future it wouldn't be picked up in a title report.

Councilman Rice noted this is not a dead end road as previously stated.

Mr. Wilkinson advised there is a considerable area that could be developed with subdivisions and Staff envisions that road being extended.

Councilman Rice was aware of the burden to Mr. Thorsen but it was his preference that curb, gutter and sidewalk be installed; there is good reason to do it. Councilman Rice referred to city code, Chapter 13, Section 2-13-3 C which indicated there was an opportunity for a temporary waiver. Is there some agreement we could come to under that provision that would assure curb, gutter and sidewalk are installed in the future.

Mr. Wilkinson advised that only applies to curb, gutter and sidewalk; nothing in city code allows a waiver or a deferral of paving of a street. Over time a lot of people have misinterpreted this code i.e. on Manzanita.

Mr. Wilkinson noted this offers a deferral for curb, gutter and sidewalk and being on the edge of town you could say it is isolated. Council might want to consider a deferral but Staff would want that deferral recorded against the property. It is only going to be more expensive in the future and may actually inhibit the sale of the property; that would be the property owner's consideration. But then the question comes up if they are going to access Stitzel; should the grading and paving be take place because there is no opportunity to defer that. City code under traffic access and parking requires that to access that right-of-way on Stitzel.

Mr. Wilkinson advised his concern is we are setting precedence. Currently we are trying to really pursue improvements on Manzanita and we are getting a lot of push back. If we are going to grant deferrals here for this circumstance should we continue to do that on Manzanita? Staff tried to call a deferral on Norco with an adjacent business there; a year ago they were all set do the improvement and honor their deferral agreement with the city; they submitted plans, we approved them and there has been no movement. It puts us in a situation of; are we going to spend legal fees to pursue these deferral agreements? What happens when they don't honor them; what recourse do we have if we don't have a bond in place to ensure it gets done then we have to incur legal expense.

Mr. Wilkinson stated it is Staff's position that unless there is good reason for a deferral we shouldn't enter into those type of agreements; going forward.

Councilman Perry noted Mr. Thorsen wants to build a garage on a piece of ground he added to his existing lot. The existing lot did have curb, gutter and sidewalk. He added the ground not knowing that if land further down develops he would have the liability of the public improvements. The property has been this way for several years; the trigger was Mr. Thorsen wanting to build a shed and access it off of Stitzel. At this point his only option is to not build it because he would be forced to put in the public improvements.

Councilman Perry commented there is a for sale sign down the road so one presumes that it will be developed in time. The question is if someone does develop there; how do the public improvements get done if Mr. Thorsen decides not to put them in?

Mr. Wilkinson explained if a subdivision was proposed for the acreage at the end of Stitzel one of the offsite improvements we would require for traffic safety is they would need to complete that section through there. That would be a small expense for a significant subdivision. The other option would be that the City agrees to pay for the improvements; and then are we taking that same position with other areas i.e. Manzanita? We have a lot of missing infrastructure in town where developers have gotten away without putting sidewalk in; we might have curb and gutter but no sidewalk.

Mr. Wilkinson advised he wanted to look at City Code as it applies to residential districts because he believed it is a hardship on an R zone property to put in a lot of frontage improvements. But, if you pick up property and add it to your property that is different than the City not requiring a developer to do it in the first place.

Councilman Conner arrived at 5:19 p.m.

Mayor Johnson questioned whether there was a hardship provision in City Code or is that something we could consider adding in the future.

Mr. Wilkinson advised he was not aware of one.

Councilman Elquist understood the concerns of the property owner but the issue is; does the expense go on the taxpayers and citizens to finish that or does it go on the land owner? He believed it is not the taxpayers issue if you bought vacant parcel with unimproved areas and you want to make improvements.

Councilman Elquist stated the code is clearly written that anything over 400 square feet triggers the improvements. Everything is working exactly as it should so we get a natural build-out and improvements through the community.

**** A motion was made by Councilman Elquist, seconded by Councilman Rice to deny an appeal from Mr. Carl Thorsen regarding Building Permit Application # 11-383, 576 square foot detached garage at 2102 Liberty Drive, Elko, NV 89801.**

**Motion passed 4 to 0.
Councilman Conner abstained.**

After the motion and before a vote was taken Mayor Johnson advised he spent time with Mr. Wilkinson to determine whether or not Staff was interpreting the code correctly; he believes they are.

Mayor Johnson questioned if the property owner decided to build a structure 398 square foot structure he could move forward with that and not fall under this requirement.

Mr. Wilkinson advised the provision in 3-2-17 would still apply for the access to the right-of-way.

Mayor Johnson questioned if it would be okay to build a 398 square foot addition or reconstruction and access to Liberty and not trigger this provision.

Mr. Wilkinson verified that was correct based on City Code.

Mayor Johnson requested verification Staff could not find anything for consideration as far as R zone or a hardship.

Mr. Wilkinson verified that was correct. The R zone and other zones stipulate your development standards and then what you try to do is seek a variance against those standards that are stipulated in the code.

Mr. Wilkinson believed the applicant might have the opportunity to apply for a variance. It would be his recommendation to the Planning Commission that they follow the code. What is the hardship here when the property owner adds on to the property? Is that a hardship that would justify approval of the variance; he did not believe that would be the case.

Mayor Johnson questioned whether there was an avenue that any property owner can pursue through the R Code or any place in City Code to justify a hardship.

Mr. Wilkinson advised through the R Code there was not. You can seek variances from development standards with the Planning Commission i.e. you had set-back requirements you couldn't meet or improvement requirements you couldn't meet. If the Planning Commission said you don't have to do the public improvements, so you can vary from the code, the Planning Commission would in essence be making a decision that places that financial liability on the City and they don't have that authority.

Mayor Johnson believed if it is an avenue for the property owner; with those two things not being part of it; it is beneficial the property owner have that understanding.

Mayor Johnson advised based on City Code this is being handled correctly.

- B. Review and possible approval of a request from the POW*MIA Elko Awareness Association to waive fees for the usage of two stages for the National POW*MIA Recognition Day Ceremony to be held in the Main City Park on Friday, September 16, 2011, and matters related thereto. **FOR POSSIBLE ACTION**

Betsy Bryan was present to explain their request and answer questions.

Mayor Johnson questioned the fee amount.

Parks Superintendent Wiley advised the stage fees are \$40.00 apiece; total would be \$80.00.

Councilman Elquist noted there have been a lot of good groups; including non-profit, come in asking for waiver of fees and we have consistently upheld the fees. There has been discussion of reviewing the code and look for discounts in the future. For now the fees are there and for a good reason; we've been under tough budget years. We've cut salaries and other items to keep up with the infrastructure. We've tasked Staff to look at where maybe the taxpayers were subsidizing entities in trying to keep things in balance where we are not subsidizing people so much so whatever tax dollars do come in are going into roads, public safety or our other core rolls here at the City. Council hoped that non-profit agencies would go out to the private sector for fund raising; cover the fees with private dollars rather than tax dollar money.

Councilman Elquist acknowledged it hasn't been very popular but Council made that decision. As a matter of precedent and consistency we shouldn't waive these fees either; even though the cause is great, like other causes have been.

Councilman Elquist encouraged the organization to go out into the private sector; it is a great story to tell and it should be easy to cover the fees.

Mayor Johnson questioned if the only cost associated with this event was for the stages.

Mr. Wiley verified that was correct.

Councilman Perry indicated he would donate \$40.00.

Josh Brown, Elko Sanitation, donated \$40.00.

No action was taken on this item.

III. UNFINISHED BUSINESS

- B. Review and consideration of issues of concern related to the Regional Road Repair Project, not otherwise listed on the agenda, and matters related thereto.
FOR POSSIBLE ACTION

This item has been added to the agenda in order to consider any issues of concern related to the ongoing Regional Road Repair Project. CC

Civil Engineer Draper read into the record a letter of concern from John Carpenter; see Exhibit 'F'.

Mayor Johnson noted Mr. Carpenter was not present and questioned Council if they wanted further discussion.

Councilman Elquist commented that he walked through the area because he was curious about the design; there are areas where you do have to stop back a bit i.e. Wright Motors.

In response to Mr. Carpenter's concern of pedestrians coming into the intersection at 5th and Idaho Mr. Draper advised we have always had the blind corner there; that has never changed. Mr. Carpenter's concern was that pedestrians walking up 5th Street and pedestrians walking down Idaho would collide at that corner.

Mr. Draper advised he would defer to Mr. Bhakta to explain the difference at the Western Folklife Center and what is being done at 6th and 9th.

Nitin Bhakta, Summit Engineering, referred to overhead drawings of 5th and Railroad to explain the design they used there. Mr. Bhakta then referred to drawings of the 6th and Idaho intersection and explained the extended curb returns and the returns are out as far as they are because there is a landscape patch in the middle. The stop bars or crosswalks there, both north and south bound, have a design with a bit more lineal footage to look at, as far as cars coming through. Staff has reviewed the Manual of Uniform Traffic Control Devices (MUTCD) and AASHTO Roadway Design Guide; nowhere does it say when a car has stopped at the crosswalk for a pedestrian to go through that they can't edge just a bit forward to get better sight visibility before crossing the road.

To address Mr. Carpenter's concerns regarding the north side of the intersection of 6th and Idaho Mr. Bhakta noted there is a good sight triangle for cars to make the left turn. He has driven the area in both is truck and car and indicated there is a bit of a concern with the tree in front of the court house; perhaps an arborist could trim up the branches to make that visibility better.

Mr. Bhakta advised there is more lineal footage along the center line of the road than what is at the intersection of 5th and Railroad; from a standpoint of design, these intersections do function. As previously noted by Mr. Draper when the buildings along Idaho Street were built they were built right on the right-of-way line.

Mr. Bhakta reminded everyone this is a regional road repair plan and there are constraints we were asked to design to. We did the best we could with some of the constraints and limitations to get the best design possible. Mr. Bhakta pointed out that every intersection has a building or something that is in the way; they did everything possible to enhance the safety of the intersections by putting in the thermo-plastic striping that is visible and yield bars; in addition to that there will be yield to pedestrian signage along Idaho Street to make drivers more aware.

Councilman Elquist noted at 7th & Idaho where Wright Motors is located when you stop at that intersection the building is right there blocking your view somewhat. He agreed with Mr. Bhakta, if there are no pedestrians people are going to edge their way up for a clearer view. Councilman Elquist questioned whether there was any precedent to have a secondary white line; if there are no pedestrians they can move up to that line.

Mr. Bhakta believed that might make it confusing for pedestrians and also for vehicles by having to stop twice.

Councilman Elquist believed the vehicles were going to have to stop twice anyway; you can't make a left turn without edging up to see.

Councilman Perry commented several years ago there had been a fatality at the intersection of 5th and Railroad between the Western Folklife Center and the bank; following that incident the City did something with the striping on that corner.

Assistant City Manager Andreozzi advised based on the determination that was a high hazard intersection and crash data from the State we made a couple of minor modifications. The first thing we did was to extend the no parking area in the corner to provide pedestrians additional vision. Secondly because we felt an extended curb return was a good remedy to the issue present in that area while we went through the process of designing, funding etc. we implemented a temporary striping plan; it didn't physically prevent anyone from making those turns but it was to replicate what was going to be there with the extended curb return. Later in time we were actually able to get everything in place; that was the birth of the extended curb return to be placed in Elko.

Councilman Conner requested clarification on the procedure for stopping at an intersection. It was his understanding a vehicle was to stop at the white line, then continue up to where you can safely see in both directions before you continue on.

Police Chief Zumwalt verified that was correct; a driver has responsibility to do that anywhere, anytime. Chief Zumwalt believed if the driver's do what they are supposed to do it wouldn't make that intersection any more unsafe than all the other intersections we have.

Councilman Elquist again questioned the use of markings at the intersection; i.e. triangles.

Mr. Bhakta clarified the triangles were yield markers. He would have to review the MUTCD to see if that is even allowed; it is conflicting cues for drivers who are coming into those intersections.

Mr. Bhakta again informed the Council the difficulty with the intersection design is the fact the building corners are so close. They couldn't put the ramps right at the apex; you don't have the ADA requirements there.

Councilman Elquist understood the conflicts but was still concerned a vehicle has to stop so far back. He would like to see some additional markings that would give some direction.

Mr. Bhakta advised they would look into that.

Mayor Johnson called for further comment.

Councilman Perry stated he wanted the Council to address the public's concerns regarding the intersection of 5th and Idaho Street; once the Regional Road Repair Project is completed.

Civil Engineer Draper provided updates on the project;

- Q & D hopes to finish paving this week; will pave Saturday if needed
- No paving Wednesday due to Staker Parson work on NDOT project
- Striper here next week
 - Stripe remainder of Idaho St.

- Mainline striping
 - Thermoplastic crosswalks
 - Stop Bars, etc.
- 9/26/2011 signal poles & traffic control equipment scheduled to arrive
 - On arrival Par Electric will erect starting at 5th Street and working down to Jennings
 - New heads
 - New signal pole @ 5th Street
 - New controllers at each intersection
 - Inter connect from 5th to 12th Street to allow 3 signals to be synchronized
- Need to advise public of procedure for left hand turn
 - Police & Sheriff Departments have information
 - Training officers so they are aware
 - PSA's will go out to educate public
- Will start work on Punch List 9/14/2011

Mayor Johnson called for further comment and advised the agenda item is very broad; this is an opportunity to discuss any issues with Idaho Street.

No action was taken on this item.

- A. Discussion, review, and possible action to adopt a revised City of Elko Vision and/or Mission Statement(s), and matters related thereto. **FOR POSSIBLE ACTION**

Councilman Rice indicated the draft is reflection of proposed changes. The mission was not changed; simply restated and clarified; see Exhibit 'G'.

City Manager Calder advised this was put out to the directors following the last meeting but no comments have been received back. He and Mr. Andreozzi have provided variations of what was proposed before; see Exhibits 'H & I'.

Assistant City Manager Andreozzi commented for the proposed revisions we have not included all of our departments. It was his suggestion to either name the main divisions or each and every department. Mr. Andreozzi advised there is a phenomenal amount of work done behind the scene by our Staff that the public isn't even aware of.

Councilman Perry believed a mission statement; as a statement of what is it we are about; should take time, effort and a lot of thought by all of the stakeholders.

Councilman Perry wanted the opportunity to sit down with Councilman Rice again; take the comments, rework it and come back with the next draft. He would like to hear comments from Staff and also some public comment on the matter. Councilman Perry believed this was not something we have to move rapidly with; it is better to think this out and come up with something in the end that truly means something.

Councilman Rice agreed but before redrafting something and having it further reviewed he would like Mr. Calder to approach Staff again for comments. They could then take those comments into account as well. Councilman Rice indicated he would like to work on the revision between now and the next meeting; was it possible to get comments back by next week?

Mr. Calder advised he would distribute the three drafts at the Department Head Meeting on Wednesday morning and request comments back by Monday.

Councilman Elquist liked the condensed version presented by Mr. Calder. If we make our mission and vision concise we could maybe have a third item on the wall that lists our municipal services; they are extensive, exhaustive and worth noting.

Mr. Calder suggested that whatever mission statement we eventually adopt, he would like it to be concise enough that all City employees could memorize it; if need be. A short concise mission statement means the entire organization knows it, understands it and can implement it.

Mayor Johnson expressed support of a short version. He liked the revision by Councilmen Perry and Rice, specifically the first sentence. Mayor Johnson believed that “citizens” is a key point; it brings out the citizens responsibility in a safe community, it identifies exactly what we want to do and is easy to understand. Mayor Johnson advised he also liked “as stewards of public trust”; that is what we are as City Council; we are the representatives of the taxpayer.

In an effort to move the process along Councilman Elquist supported bringing back two or three versions for consideration at the next City Council Meeting.

Councilman Rice and Councilman Perry advised they would meet again; take the information from tonight’s discussion and work up a few statements for consideration at the next meeting.

No action was taken on this item.

II. APPROPRIATIONS

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

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

Motion passed unanimously.

V. REPORTS

A. Mayor and City Council

1. Mayor Johnson

a. Marriot Hotel & Jakers had high compliments of process, people and procedures the City of Elko has in the Building and Development Departments

2. Councilman Perry

- a. Citizen concerned over area of grass at Angel Park
 - 3. Councilman Conner
 - a. Compliments on Idaho Street
 - i. Wise decision to keep colored concrete
 - 4. Councilman Elquist
 - a. Read thank you letter from Gina Reyes re: Elko Sky Fair
 - 5. Councilman Rice
 - a. 9/11 Ceremony successful
 - b. Trade Center steel on display in GBC Library
- B. City Manager
 - 1. League of Cities October 5,6, & 7th in Mesquite, NV
 - a. Mayor, City Manager & City Clerk will attend
 - b. Staff wanting to attend need to inform Kim
 - 2. Arbitration dates for Airport Terminal Ramp have been vacated for October
 - 3. Acknowledged Mike Hecht's service as Interim Fire Chief
 - 4. Golf Pro Contract
 - a. Starting process for developing RFP's
 - b. Needs completed before end of calendar year
 - c. Scheduling is on-track
 - d. Draft RFP and possible authorization at next City Council Meeting to move forward
- C. Assistant City Manager
 - 1. Status of City Planner recruitment process
 - a. 17 applicants
 - b. Short list of 8
 - c. Interviews later this month
 - 2. Status of sidewalk café and display permit
 - a. Draft back from attorney's office
 - b. Awaiting comments from Staff
 - 3. Elko Sanitation Agreement update
 - a. Extended contract and included recycling component
 - b. Expectation in community it would happen right away
 - i. Will take some time
 - ii. 2 existing contracts
 - iii. Staff has not had time to prioritize
 - iv. Sense of urgency by Elko Sanitation
 - a. Numbers provided were based on moving forward in timely manner
 - 4. Redevelopment Authority Recognition Program
 - a. Evaluating options
 - b. Meeting with Chamber of Commerce
 - c. Considering MOU
- D. Utilities Director
 - 1. Appreciation for compliments to Water/Sewer Departments
- E. Parks and Recreation Director

1. Johnny Appleseed Irrigation Renovation nearing completion
2. Angel Park showing improvement after resolving minor issues with irrigation system
3. Swing sets for Johnny Appleseed Park due to arrive, installation next week
4. Process begun to replace remaining equipment that was removed this summer
5. Notice of Award for Tree Inventory and Management Grant through US Department of Forestry and NV Department of Forestry
 - a. Will bring to next City Council Meeting

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the general 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**

Josh Brown, Elko Sanitation, addressed the Council on matters related to the recycling contract. Mr. Brown advised they do have a high sense of urgency in moving ahead with the contract due to costs. When they went through the approval process part of his sense of urgency was their cost structure changing through the year. They brought their proposal at the beginning of the year and it is now September. Mr. Brown advised their costs have risen considerably since that point in time when they projected those figures in their contract numbers. Mr. Brown advised he has presented to Mr. Andreozzi some of their initial comments on the contract changes they would like to negotiate and/or see discussed going forward.

Mr. Brown indicated they have received quite a few negative comments because the recycling hasn't started. Mr. Brown stated the negative comments were a personal reflection on his business.

Mr. Brown advised the other challenge they have, as mentioned in the original proposal to the City, is that they have a substantial amount of capital dollars sitting on the sideline ready to be invested for this; to include two side-load trucks, a trailer, 4,000 carts at an estimated cost of \$1.0 million. The longer they wait on that the more difficult it is for them to acquire that capital; and also the length of time it takes to acquire the capital and put it into place to collect the new services.

Mr. Brown advised he has not ordered anything yet; he needs to see an official contract from the City before they can invest in this capital for this contract. Mr. Brown acknowledged they do have approval but the documents need to be finalized to move forward officially.

Mr. Brown stated there is a concern over the delay; they were ready three months ago to make the purchase and he urged the Council and Staff to work with them to get the contract in place.

Councilman Elquist questioned if this matter needed to be placed back on an agenda; set a deadline to get it finalized.

Assistant City Manager Andreozzi explained the delay was due to the fact Staff discovered we had two contracts. Those two contracts will have to be compared and also compared to City Code because we are adding a new element. Another factor was locating the electronic copy of the contracts. Mr. Andreozzi advised it is going to take time to do all that.

Mr. Andreozzi advised the process needs to start with him. Our legal team needs to review the contract and also Elko Sanitation.

Mr. Andreozzi stated we need to prioritize it and move forward.

ADJOURNMENT

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

Mayor Chris J. Johnson

Shanell Owen, City Clerk