

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

SS June 9, 2015

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, June 9, 2015.

This meeting was called to order by Mayor Chris Johnson.

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

Mayor Present: Chris J. Johnson

Council Present: Councilwoman Mandy Simons *arrived at 4:04 pm*
Councilman Robert Schmidlein
Councilman Reece Keener

Council Absent: Councilman John Rice

City Staff Present: Curtis Calder, City Manager
Scott Wilkinson, Assistant City Manager
Ryan Limberg, Utilities Director
Shanell Owen, City Clerk
Dawn Stout, Administrative Services Director
Ben Mangeng, Information Systems Manager
James Wiley, Parks and Recreation Director
Doug Gailey, Human Resources Manager
Mark Gibbs, Airport Director
Jeremy Draper, Development Manager
Dennis Strickland, Public Works Director
Mike Hess, Landfill Superintendent
Matt Griego, Fire Chief
Ben Reed Jr., Police Chief
Rick Magness, City Planner
Ted Schnoor, Building Official
Jonnye Jund, Accounting Manager
Bob Thibault, Civil Engineer
Tom Coyle, Deputy City Attorney
Diann Byington, Recording Secretary

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

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

There were no public comments.

APPROVAL OF MINUTES: May 26, 2015 **Regular Session**
May 19, 2015 **Special Budget Session**

The minutes were approved by general consent.

II. PERSONNEL

A. Employee Introductions:

- 1.) Ms. Aubree Anderson, Human Resource Manager
Present and introduced.
- 2.) Mr. Dennis Price II, Landfill Equipment Operator
Present and introduced.
- 3.) Mr. Steve Schroeder, Equipment Operator I
Present and introduced.

I. PRESENTATIONS

- ### A. Brief presentation and possible acceptance of a renewal proposal from Nevada Public Agency Insurance Pool (POOL), and approval of invoice for payment from FY 2015/2016 Funds, and matters related thereto. **FOR POSSIBLE ACTION**

As a member of the Insurance Pool, the City of Elko owns a share of the equity that forms the basis for its financial strength.

Your agenda packet includes an overview of coverage offered for the following fiscal year. The City of Elko's total program costs for FY 2015/2016 are \$403,432.81 representing an approximate 1.7% decrease when compared to the current fiscal year. DS

Curtis Calder, City Manager, explained Wayne Carlson was present. The next item is also related as well. We are pleased to say we are getting a decrease.

Wayne Carlson, Executive Director of POOL, explained POOL has been around since 1987. He was involved in getting the original legislation passed back in 1985. He highlighted a couple of the key resources they offer. (Exhibit "A")

Mayor Johnson called for questions without a response.

**** A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to approve the renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approve invoice for payment from FY 2015/2016 funds in the amount of \$403,432.81.**

The motion passed unanimously. (4-0)

- B. Review, consideration, and possible approval of the FY 2015/2016 Pollution Legal Liability Insurance Renewal Offer, including approval of invoice for payment, and matters related thereto. **FOR POSSIBLE ACTION**

The Pollution Legal Liability Program is separate from the City's Liability Insurance. As you may recall, the Nevada Public Agency Insurance Pool Program contains absolute pollution exclusion, meaning that no coverage is provided for pollution liability in that program. Our quote includes coverage for the Landfill, Water Reclamation Facility, Water Department, Swimming Pool, and Hazardous Material Response/Cleanup.

Your agenda packet includes an invoice of coverage offered for the following Fiscal Year. The City of Elko's total program costs for FY 2015/2016 are \$26,348.00 representing no increase in premiums compared to the current Fiscal Year. DS

Mr. Calder explained Wayne Carlson was present to answer any questions. There is no increase in price and it is necessary to have this coverage.

Mayor Johnson asked about an Airport policy and in that one does the Airport have its own pollution coverage.

Mr. Calder answered the Airport does have a separate policy that will be on the next agenda. It covers the liabilities out at the Airport.

John Smales, 2096 Sawyer Way #1, said the liability policy for the Airport has strictly the liability and it doesn't have a lot of pollution on it.

Mayor Johnson asked if it was in this one or should we add it.

Mr. Calder said the hazardous material and response cleanup is under this policy which would cover the entire city. He assumes it would cover anything at the Airport.

Councilman Keener asked the amount for the landfill is disproportionately higher than other areas like waste water, water utilities, etc. Is that reflective of the risk that is inherited at that facility? What drives that?

Mr. Smales answered there is more exposure there than there is in other areas.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to accept the FY 2015/2016 Pollution Legal Liability Insurance renewal offer including approval of invoice for payment in the amount of \$26,348.**

The motion passed unanimously. (4-0)

IV. APPROPRIATIONS

- C. Review, consideration, and possible authorization for Staff to solicit equipment bids for the WRF Biosolids Dump Truck, and matters related thereto. **FOR POSSIBLE ACTION**

The current 5-yard biosolids dump truck is approximately 24 years old and is undersized to handle the load generated from the aerator process. The replacement 15-yard dump truck was approved in the 2015/2016 budget. FPS

Ryan Limberg, Utilities Director, explained this will be a 15 or 16 yard truck. Our existing 5 yard truck is approximately 24 years old. With our new plant process we produce more solids. By purchasing this truck we will make fewer trips to the landfill. This will greatly reduce the number of trips to the landfill.

**** A motion was made by Councilwoman Simons, seconded by Councilman Keener, to approve soliciting bids for the WRF Biosolids Dump Truck.**

The motion passed unanimously. (4-0)

- D. Review, consideration, and possible authorization for Staff to solicit repair bids for the WRF South Reservoir Liner Repair Project, and matters related thereto. **FOR POSSIBLE ACTION**

The south reservoir sub-based has eroded away from under HDPE plastic liner due to wave action. Repair of the sub-base, some liner repairs and addressing the liner trampolining is required. The liner repair project was approved in the 2015/2016 Fiscal Budget. FPS

Mr. Limberg offered some background. We have two reservoirs on Bullion Road and we use that water to irrigate the golf course, Millers fields and other locations. In the south reservoir we have noticed some rocks below the liner. The rocks puncture the liner and rip it. With this project we would repair the subgrade under that liner and remove some rocks. We would also replace that liner and install a cushion between the liner and the subgrade so we don't have the same problem going forward.

Councilman Keener asked if this is mandated by EPA.

Mr. Limberg answered that water needs to not percolate out of the reservoir. It needs to be stored. In addition to that there are domestic wells in the region so we don't want that water percolating in the ground.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to approve soliciting bids for the repairs of the WRF South Reservoir Liner Repair Project.**

The motion passed unanimously. (4-0)

- E. Review, consideration, and possible award of the contract for the Public Works Department Preventive Maintenance Project 2015, to apply Micro Slurry Seal to select City streets, and matters related thereto. **FOR POSSIBLE ACTION**

At their May 12, 2015 meeting, Council authorized Staff to solicit bids for the Preventive Maintenance Project 2015. Bids were received until 3:00 p.m. on Monday, June 8, 2015. DS

Dennis Strickland, Public Works Director, explained a bid tab was provided earlier today. This is the first year in many years they didn't have a great bid opening. We are over budget with our low bidder, Sierra Nevada Construction. The contract documents allow us to increase or decrease quantities of the project by 20%. That gets us back to budget. The airport will be paying for a portion of this. We had aggregate prices that increased this year. We still have a viable project to award.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to award the bid to Sierra Nevada Construction Inc. for the Public Works Department Preventive Maintenance Project 2015.**

The motion passed unanimously. (4-0)

- F. Review, consideration, and possible authorization for Staff to solicit bids for the WRF Truck Loadout Project, and matters related thereto. **FOR POSSIBLE ACTION**

The project will enclose the biosolids dump truck to prevent freezing as well as add odor control to the biosolids truck bay and the connected rotary press building. The truck loadout project was approved in the 2015/2016 budget. FPS

Mr. Limberg explained the purpose of the building is to house the new larger truck in. We need to do this because if we don't we can find the loads frozen in the back of the truck and then it is very difficult to dump it out at the landfill.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to approve soliciting bids for the WRF Truck Loadout Project.**

The motion passed unanimously. (4-0)

- G. Review, consideration, and possible final acceptance of the Outdoor Swimming Pool Replaster Project, and matters related thereto. **FOR POSSIBLE ACTION**

At the September 9, 2014 Council meeting, the project was awarded to Adams Pool Specialties, Inc. The project has been successfully completed, and Staff

recommends final acceptance of the project. There was one change order on the project. JD

Jeremy Draper, Development Manager, explained most of the project was completed last fall. There were some weather related issues and they had to wait until this spring to complete the project. Everything looks great over there. It is another great project from Adam's pools.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, for final acceptance of the Outdoor Swimming Pool Replaster and Maintenance Project in the amount of \$248,685.**

The motion passed unanimously. (4-0)

- H. Review, discussion, and possible direction to include additional services not included within the original contract with Baer Design Group for irrigation consulting and design services at Ruby View Golf Course, and matters related thereto. **FOR POSSIBLE ACTION**

Staff is requesting that some additional design services be added to the current contract with Baer Design Group, in conjunction with the Ruby View Golf Course Irrigation Project. Additional services include the design and planning of championship tees, new cart paths and the abandonment of existing cart paths. These services are intended to be included as bid alternatives to the base bid for the irrigation project. A proposal containing the details and costs for these services has been submitted with the Council packet. JW

James Wiley, Parks and Recreation Director, explained these additional services are classified as bid alternates. They are not part of the base bid. There is a cost associated in the planning and the design and preparing the documents for going out to bid. The cost to get those two items prepared for bid is \$8,000.

Councilman Keener asked is that something that is beyond their scope to be able to provide input from the committee.

Mr. Wiley said the cart path is something that city staff could handle. The boxes would require a specialist.

Councilwoman Simons asked if we would be paying for this the same way as the irrigation.

Mr. Wiley said the irrigation system is the main priority. There are items that may not be ultimately awarded. First we need to find out what they are going to cost and it also depends on the bid. If it puts us over what is budgeted the likelihood of doing this is slim.

Councilwoman Simons had a concern with the numbers. We should be looking for ways to make this less. She is fine with bid alternates. We need to look for things to eliminate and not add. In the end we may not be able to do anything additional.

Councilman Keener asked if there was any risk in delaying this until we know what the funding mechanism will be for the irrigation project overall.

Mr. Wiley answered he didn't think there was a whole lot of risk in delaying these two specific items. He understood if we implement these two items there will be minor adjustments to the designed irrigation we have now.

Councilman Schmidlein asked about an estimated cost. He agreed with the cart path and that it can be done in house. The t-boxes are more specialized. He is curious about the dollar amount people want thrown out there.

Mr. Wiley didn't know what the t-boxes would cost to construct. He guessed about the cart path maybe between \$30,000 and \$50,000. If we were able to do that in-house we could save some money.

Councilman Schmidlein doesn't have a problem with the additional \$8000.

Mr. Wiley reminded the irrigation will be the base bid. There will be some other alternates on the bid documents too.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to authorize to include additional services for the design and planning of the championship T's, new cart paths and abandonment of existing cart paths as bid alternates to the current contract for the Golf Course Irrigation Project with Baer Design Group.**

The motion passed unanimously. (4-0)

V. UNFINISHED BUSINESS

- A. Review of the Grant Offer for Airport Improvement Program (AIP) Project No. 3-32-0005-045-2015 and authorize the City Manager to execute the Grant Agreement, and matters related thereto. **FOR POSSIBLE ACTION**

On May 26, 2015, the City Council accepted the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant #45 (formerly AIP Grant #46) for Runway 5/23 Rehabilitation-Phase 3. The official Grant Agreement has been enclosed in the agenda packet for review. MG

Mark Gibbs, Airport Director, explained this is more of a formalized acceptance where you authorize Mr. Calder to sign and enter into all of the agreements. There are no changes.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to authorize the City Manager to execute the Grant Agreement.**

The motion passed unanimously. (4-0)

VI. NEW BUSINESS

- A. Review, consideration, and possible approval of a request from Kim Steninger to renew and/or extend the term of their T-Hangar Lease Agreement, and matters related thereto. **FOR POSSIBLE ACTION**

The airport T-hangar ground lease agreement for Kim Steninger owner of Hangar B7 will expire on June 30, 2015. The City of Elko has an established past practice of renewing and/or extending T-Hangar Leases that have previously expired, as long as the leases have remained in good standing. Additionally, airport ground leases of less than one-half an acre are no longer subject to appraisal/auction process for cities whose population is less than 25,000 (NRS 496.080). This hangar lease did not have a renewal option and certain changes to the lease were made in order to conform to FAA and airport best business practices. MG

Mr. Gibbs asked this item be tabled.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to table this item.**

The motion passed unanimously. (4-0)

- B. Review, consideration, and possible authorization to staff to proceed with the possible leasing of excess fiber optic cabling, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko is planning on installing fiber optic cabling this summer and will end up with an excess of fiber strands. Around the Country there are various ideas on what to do with this excess fiber infrastructure. Some public agencies provide transport all the way to the customer's premise and then an Internet Service Provider provides service over that Open Access Network. The infrastructure is typically paid for by either a monthly access port fee or a utility fee. Another option is to lease the fiber itself (Dark Fiber). This is typically done as a price per fiber per foot/mile. BM

Ben Mangeng, Information Services Manager, explained we are looking at pulling fiber down the corridor in the next budget year. As we were reviewing the project it made more sense to go with more rather than we actually needed. The County has expressed an interest in the project. Others have said they would like to rent some of the fibers. He went to the Public Utilities Commission and inquired to find out what is required from us to be able to do that. They came back recommending that we fill out an application for Certificate of Public Convenience and Necessity Competitive Supplier of Telecommunication Services. They said once we fill that out we can lease fiber or do an open access network. He wanted to see what Council was interested in before he proceeded any further. Potentially, if we leased every strand of excess, we could bring in \$40,000 to \$50,000 a year.

Councilman Schmidlein asked what size fiber are you pulling and how much do you need. How much will the county need? What will we need for future expansion in the city?

Mr. Mangeng answered one of the great things about fiber is that you can leverage a lower amount of fiber to expand band with. Right now he has allocated about 25% of the fiber. The agreement he has worked out with the County, they were able to split this last portion and they will get 12 strands of fiber out of it. We will be retaining 3 buffer tubes which is 36 strands of fiber. He felt 25% could be leased out.

Councilman Schmidlein asked if there has been any negative feedback from the public providers regarding leasing this out.

Mr. Mangeng answered he has not. We will not be competing with anyone. It is an infrastructure item. They will pay the city a connection fee and they will still have to get a provider for connection to the internet.

Councilman Keener asked if this is approved you will be filing the paperwork as stated and then studying the different options available so that before anything that transpires with customers it would come back to council for approval, is that correct?

Mr. Mangeng answered yes; the leases would have to be brought to council for approval. The item here is to make council fully aware of what we would like to do. There is a process for the paperwork and public notices before we get to the leases.

Ryan Limberg, Utilities Director, asked if the city submits this application to the PUC are we governed by the PUC's rules and regulations?

Mr. Mangeng answered what he was told in the email, "if the City of Elko would be potentially leasing or selling dark fiber, a telecommunications carrier would be in need of a certificate of public convenience, however, as a municipality, once the city obtains the CPC the city would be exempt from most other regulations." The City Attorney would need to review the paperwork for an opinion.

David Roberts, Frontier Communications in Elko. They have spent \$1.2 million as a company pulling fiber in the six months he has been here. He hopes to spend more in the next six months. If the city chooses to become a telecom company that is up to them but Frontier prefers a level playing field. There are three or four of the companies already doing this. His superiors don't seem to be quite as excited as he is about this because they have seen it go badly in other markets. (Exhibit "B")

Councilman Keener asked if they currently have fiber placed in the downtown corridor in the vicinity where the city is going to be putting their cable.

Mr. Roberts answered the downtown corridor is one of their next projects. We don't yet because it is very close to their CO that in many cases it isn't necessary.

Councilman Keener asked how much is this project?

Mr. Mangeng answered between the city and the county the main core we have \$65,000 allocated from the city and \$75,000 from the county. We also have about \$20,000 allocated to get to the Police Department which he is hoping he can have enough to get to the Street Department too.

Mayor Johnson said this is something the city should pursue and see if it is available but there had been some comments that made him wonder if this is actually feasible. It is good that the city brings it to the surface that there is this excess and what do you want us to do? He wasn't sure if council would be ready tonight to make a decision but he wanted Mr. Mangeng to look at more things and then report back. We hear about the need for bigger and faster technology. If we can come together as a team with public and private that benefits Elko then we should look at that.

Councilman Keener said he is open to looking at what is available and we will only know that if Mr. Mangeng does his due diligence and finds out what the alternatives are.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to recommend approval of going forward in leasing of excess fiber optic cabling and filing the necessary paperwork with the appropriate governing agencies.**

The motion passed unanimously. (4-0)

- C. Review, discussion, and possible approval of an amendment to the Verizon Wireless Airport Ground Lease Contract, thereby increasing the total leased square footage by 140 Square Feet, and matters related thereto. **FOR POSSIBLE ACTION**

Verizon Wireless would like to amend their current agreement with the Airport increasing the total leased square footage to 940 Square Feet. The additional leased area will be utilized by Verizon Wireless to install a backup diesel generator to power their critical communications equipment located on the Airport Beacon. The lease area is defined as Elko County Assessor's Parcel number 001-660-004. The new annual lease rate for the Verizon Wireless will change from \$224.00/year to \$263.20/year. The lease agreement will expire on June 21, 2027. MG

**** A motion was made by Councilwoman Simons, seconded by Councilman Keener, to approve the Amended Verizon Wireless Airport Ground Lease.**

The motion passed unanimously. (4-0)

- D. Review, consideration, and possible selection of design options for the reconstruction of Cedar Street from 2nd Street to 6th Street, and matters related thereto. **FOR POSSIBLE ACTION**

Carter Engineering has been working on various design options for the reconstruction of Cedar Street. Staff is seeking direction from Council regarding

how much storm water to capture. The construction of this project is not intended to begin until July 2016. BT

Dennis Strickland, Public Works Director, explained council gave us guidance early on when we asked for authorization to get the design kicked off. Council had asked that we bring the design back at a future date. We are getting to the point where Lana Carter and her team have a pretty good project. We won't be selecting options tonight but we will walk through the presentation and answer questions.

Councilman Keener asked if there were any examples in the city of the low impact.

Mr. Strickland answered we have that right here at City Hall; the entire perimeter around City Hall. Johnnie Appleseed we have an infiltration basin through the middle of it. Jeremy Draper designed some at the Main City Park. Pepsi did some.

Lana Carter, Carter Engineering, explained for the past several weeks she has had the opportunity to work with City Staff and the Land Group on the Cedar Street Reconstruction Project. She brought Christopher Hawkins and Matt Adams with the Land Group. They prepared a presentation (included in the packet). We need to ensure a cost effective street renovation which means we need to be fiscally responsible to get the most reconstruction as possible for the allowed budget. They want to embrace the low impact development to address the storm water issues. They also want a project the community could be proud of and that we can all use.

Mr. Strickland said regarding the flooding that occurs on Cedar Street, it is not just yards that are impacted. Waters have gone into the alley and into garages causing damage. Just last year we had a gentleman that lost a lot of personal property. Below that a gentleman has built a retention wall around his house because we had it go through his front yard and house and into the other alley. In the 200 block we have had instances where it has been close to going into basements and so forth. The flooding issue is a lot bigger issue than just a yard issue.

Ms. Carter turned the presentation over to the Land Group.

Matt Adams, Land group, 462 E. Shore Drive, Eagle, Idaho, spoke about low impact development. Low impact development is doing more with less. It is utilizing natural processes. We don't pipe the water; we retain it and allow evapotranspiration through plant material and we also allow infiltration of the water.

Christopher Hawkins, Land Group, said low impact development can achieve great things. We ended up a system that is composed of open bio swells which is similar to what you have out in the parking lot. He talked about how it would work.

Ms. Carter continued with her presentation.

Councilman Keener asked the 100% capture rate, is that 100% of the 10 year storm event.

Ms. Carter answered yes.

Mayor Johnson asked about infiltration rate.

Ms. Carter answered they got the soil studies back. This is based on what the soil study is showing us on the existing conditions out there. It isn't the best infiltration rate. The swell is designed to carry water. It gets to areas of flooding at a slower rate.

Councilman Keener liked what he saw. It will have a significant impact on the neighborhoods. Have you talked to residents up and down the Cedar Street corridor?

Ms. Carter said that was part of the plan. They wanted to take it to council first.

Curtis Calder, City Manager, asked is there a plan to irrigate the vegetation the bio swells.

Ms. Carter answered there will be irrigation caps on each block. It will be a drip system. The plantings being used are very adaptable.

Mr. Calder asked if the plants will be high maintenance or are they self-sustaining.

Ms. Carter said that was a concern. Anything we do will require some maintenance. We wanted to minimize that.

Mr. Hawkins said on this project as we designed it we selected the most appropriate plant species that will be lowest maintenance requirement so they don't require regular maintenance from city staff.

Mr. Strickland said that was a concern of his too. He was also concerned about the soils. He has done a lot of work in that area. In any event we are going to capture a percentage as it is percolating.

Scott Wilkinson, Assistant City Manager, asked what percentage of the water management is due to evapotranspiration. How important is that to the plant material to keep that functioning and to keep that system able to manage that ten year event?

Mr. Hawkins answered they are using the plant material as a safeguard. That wasn't included in their calculations. The evapotranspiration rate is not astronomical but you are going to see a significant amount captured.

Councilman Keener asked if that creates a challenge for snow removal.

Mr. Strickland answered it aids in snow removal.

Mr. Calder asked how many houses with basements are on that street. Have you looked at that?

Ms. Carter answered they have not looked at that but they should be far enough away so they don't impact them.

Mr. Adams is confident they will not impact anyone's basement because of the distance they have away from the basements and the percolation rates with the safety factor.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to direct staff to finalize the design of Cedar Creek with a base bid design to capture 75% of the of the storm water of the ten year storm event and provide additive alternates up to 100% capture rate. There will be an intensive outreach with the affected property owners along the Cedar Street corridor.**

The motion passed unanimously. (4-0)

BREAK

IX. 6:00 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible action to adopt Resolution No. 14-15, a resolution of the Elko City Council adopting a change in zoning district boundaries from AG (General Agriculture) to IC (Industrial Commercial), involving approximately 25.125 acres of property located generally northwest of the intersection of I-80 and Youth Center Road, filed by Surebrec Holdings LLC and processed as Rezone No. 3-15, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered the subject zone change request on May 5, 2015, and took action to forward a recommendation to City Council to adopt a resolution which approves Rezone No. 3-15. RM

Rick Magness, City Planner, explained staff recommended approval.

Mayor Johnson called for public comment without a response.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to accept the Resolution No. 14-15 for the rezone subject to Planning Commission conditions.**

The motion passed unanimously. (4-0)

- B. Second Reading, Public Hearing, and possible adoption of Ordinance No. 793, an ordinance repealing Title 8, Chapter 5 of the Elko City Code entitled Southwest Gas Corporation Franchise in its entirety, and matters related thereto. **FOR POSSIBLE ACTION**

Council approved a new Franchise Agreement with Southwest Gas at a previous meeting. The prior Franchise Agreement was adopted through an Ordinance process and is no longer valid or in effect. SO

Shanell Owen, City Clerk, explained this is a housekeeping item. We are trying to keep our ordinances cleaned up and reflective of recent actions that have taken place.

Mayor Johnson called for public comment without a response.

**** A motion was made by Councilwoman Simons, seconded by Councilman Keener, to conduct the Second Reading and Public Hearing and adopt Ordinance No. 793.**

The motion passed unanimously. (4-0)

VI. NEW BUSINESS (Cont.)

- H. Review, discussion, and possible ratification of administrative water/sewer connection and water meter deferrals for the Elko Band of the Te-Moak Tribe of Western Shoshone Indians of Nevada, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko recently entered into an Interlocal Agreement with the Elko Band of the Te-Moak Tribe of Western Shoshone Indians of Nevada pertaining to the development of seven (7) modular homes. Typically, all permit fees are paid at the time building permits are issued, including water/sewer connection fees and water meter fees.

Due to project timing, construction began prior to receiving full grant funding. As such, the Elko Band of the Te-Moak Tribe requested a deferral of water/sewer connection fees and water meter fees until the electrical meters are set/inspected. Staff approved the short-term deferral contingent upon all other building permit and electrical permit fees being paid. CC

Ryan Limberg explained Mr. Calder worked out this agreement with the applicant.

Larry Robb, 701 Pine Street, recognized the difficult work the city has before them. We have an entity that started the building process before obtaining all of the required permits. They have not been sanctioned and instead of being punished they have been given a deferral. That sends a bad message to those that have been sanctioned in the business community. In the future we may want to get the money up front. There is no guarantee they will get the money this year.

Councilman Keener asked if there will be any associated legal fees with this delay.

Mr. Calder answered not to his knowledge. The only difference in collecting all of the permit fees up front and the agreement we arrived at is that the water and sewer fees will be collected at the time of the meter set for the electrical panel. If they don't pay those fees they won't get an inspection of their electrical meter and then don't get a certificate of occupancy. They may be physically connected to the water they will not have any power up to the property. It was an issue of grant funding.

Councilman Schmidlein asked during construction of the houses the water will not be turned on.

Mr. Limberg answered they will allow the contractor to use a little bit of water to do their work. It will be a minimal amount. It can stay entirely off until the fees are paid. As a general policy it is customary that they will use a little bit of water.

Councilman Keener said he would prefer to do it as normal so the contractor will not be penalized in any way.

Councilwoman Simons asked if we don't approve this where does that leave them.

Mayor Johnson answered staff already approved this and council is ratifying it.

Mr. Calder said they couldn't wait for a meeting because the foundation construction needed to begin. They are modular homes and they get inspected by the state. Ted Schnoor only inspects the electrical meter component.

Ted Schnoor, Building Official, explained what they inspect on these modular homes.

Mr. Calder said at that final stage if the water/sewer connections are not paid, they will not get a signoff.

Mr. Limberg noted he went up there yesterday to inspect the project and there has not been any construction started up there yet.

Mr. Robb felt if there hasn't been any construction yet, he would question what the wide spread fear was to have this waiver done. Maybe council should take a field trip. Things need to be fair and equitable.

Councilman Keener said he heard what Mr. Robb was saying but it is important for staff to have tools to handle situations that come up. In this case staff exercised good judgment. It is important for council to back staff when they do things like this.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to ratify the administrative water/sewer connection and water meter deferrals for the Elko Band of the Te-Moak Tribe of Western Shoshone Indians of Nevada.**

The motion passed unanimously. (4-0)

VII. RESOLUTIONS AND ORDINANCES

- D. Review, consideration, and possible approval of Resolution No. 18-15, a resolution concerning the financing of recreational facilities for the City of Elko; directing the City Clerk to notify the Elko County Debt Management Commission of the City's proposal to issue General Obligation Recreational Facilities Bonds Additionally Secured by Pledged Revenues; providing certain details in connection therewith; and providing the effective date hereof, and matters related thereto. **FOR POSSIBLE ACTION**

Approval of Resolution No. 18-15 is required if the City Council wishes to proceed with the issuance of General Obligation Recreational Facility Bonds to finance the proposed recreational facilities. DS

Dawn Stout, Administrative Services Director, explained if council remembers that during the budget they mentioned they wanted to refund the California Trails bond in conjunction with this issue for the new monies. If you look at the sufficiency of pledged revenues you can see that has happened. The proposed bond debt service for the first ten years it escalates but then in 2026 it decreases for the principal payment. That is the ten year California Trails bond paying off at that time. After that we would have the remaining ten years on the recreation bond. She had estimated what the room taxes would be.

Councilwoman Simons asked if ten years from now and things take a dive and we are not bringing in great room tax rates, how do we cover this payment.

Ms. Stout answered that is why they used the full 6% of the City's available room tax to guarantee this bond. If you look at the far right hand side where it says Coverage Times we have over 3% coverage meaning we have 300% coverage. That goes down to 2.26 when the bonds have a full payment. In looking at the history of the room tax and the increases that we have had, the decreases that we have experienced over time have been minimal where the increases have been substantially more.

Councilman Schmidlein noted we are looking at borrowing \$8 million. We are looking to do new recreational development. How much will be set aside for the Golf Course. He wants to know that upfront. What dollar figure are we going with? With the sports complex it is obvious that we will need more money up front to get more money from the Pennington Group. He wants to know how much up front before he votes on this. We have \$1.8 currently. What are we committing from the remaining \$6.5 million?

Mayor Johnson said we know the golf course is \$3 million. If the golf course irrigation comes in at \$3 million then the rest comes out of the bond.

Councilwoman Simons asked if they could make that a condition that we will not spend any more than \$1.3 for the golf course.

Councilman Schmidlein said when we were looking at the tennis courts Mayor Johnson had his heels stuck in the sandbox at \$400,000 and he wanted \$600,000. We decided to go with \$500,000. We are looking at all of the additive alternatives. If the irrigation comes in at \$3.2 million are we going to go ahead and pay an additional \$1.4 million? We are taking away more from the Pennington Group matching funds. He would like to set a threshold for how much we will set aside for the irrigation. He doesn't want to come back if the irrigation is at \$3.2 or more.

Mayor Johnson agreed that the Golf Course needs to come in on budget and he doesn't want to allocate more than \$3 million for the irrigation project. In order for the sports complex to be viable it will need a big influx of cash.

Councilwoman Simons felt they should vote for \$1.2 for the golf course. They have already looked and identified the Sewer Fund. The additives worried her today because she felt they should try to whittle things down and not increase them.

Councilman Schmidlein doesn't know what this irrigation project will come in at because it is a specialized trade.

Mayor Johnson said he has talked to the design group. He asked them if there are places where the city could save money. He felt the labor was high but we want to know more about different options too. The budget has to work.

Councilwoman Simons asked by approving this resolution we are locking ourselves into an amount.

Ms. Stout answered no. This starts the process. There is a lot more that happens after this.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to approve Resolution No. 18-15 and Room Tax Revenue sufficiency study and make note that the portion up to \$8 million specifically earmarked for the Golf Course Irrigation Project is not to exceed \$1.2 million.**

The motion passed unanimously. (4-0)

VIII. PETITIONS, APPEALS, AND COMMUNICATIONS

- D. Ratification of the Police Chief denying the regular Retail Liquor License Application, of Sergio Sanchez DBA Sergio's Mexican Restaurant, located at 743 Idaho St, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

Sergio Sanchez DBA Sergio's Mexican Restaurant received his original Liquor License on January 24, 2002. Mr. Sanchez has been delinquent on quarterly licensee payments to the City of Elko numerous times between April 1, 2009, and July 1, 2014.

On October 15, 2014, the Elko City Clerk sent a letter to Mr. Sanchez notifying him of the cancellation of his Liquor License for non-payment and non-compliance with State Regulations.

On May 18, 2015, Sergio Sanchez, DBA Sergio's Mexican Restaurant, made application for a new regular Retail Liquor License. BR

Chief Reed explained this one is unique. There has been a long history of an existing one that had been cancelled/vacated last fall due to a number of problems. The applicant still operates a restaurant but has not had a liquor license since last October. The recent application triggered the background process. There is no criminal history, felony convictions or problems with employees. There has been no history of problems with service of liquor at the address. The issue here is business practices and responsibility. He is aware of late payments and notices from the Clerk's office and those kinds of things and deadlines coming down to the day of. When he dove into the responsibility portion there has been a long history, about six years' worth, of delinquencies. There have been 16 out of 23 quarters where the licensee was delinquent. That causes a lot of work at the City Clerk's office. Going back to last fall he included the letters from the Clerk's office. There were problems with the state taxation office causing the delays. He was not going to come and recommend approval. His staff's

recommendation was due to the history of delinquent payments, etc., is denial of the regular liquor license. The applicant is present.

Shanell Owen, City Clerk, explained every liquor license holder understands the liquor renewal is due every quarter. Licensees have until the 5th of the month to pay without a penalty. If the license is not paid by the 15th of the month they no longer have a liquor license and all liquor must be pulled from the location. This involves the Police Chief and notification to the Liquor Control Board. We have businesses that are repeatedly late, especially if they are not in compliance with other State, Local or Federal regulations. Once we are put on notice that a business is not compliant then we cannot renew their license. If they come in to make the payment we tell them first they need clearance from whatever the department is. If we know right away that they are not compliant we will put that in their notice as well. Having to do this for one business repeatedly takes time for the Clerk's Office, the Licensing Department, the Police Department and sometimes the City Attorney. The Clerk's Office and the Licensing Department both support the Police Chief's recommendation of denial for this application for a liquor license which is a privilege license.

Councilman Schmidlein asked how long do you punish a business. Are we voting to not allow them to re-apply in six months? What type of precedence are we setting? He read all of the information provided. Are we saying they can't have a liquor license for five years, or what are we doing?

Chief Reed answered talked about some approaches. One is you can take the approach as the Code reads that this is a privilege license and you must demonstrate that responsibility that was granted in 2002 and has been lost by the licensee. They are still in business so it is not as if the City would be saying you're done with business. The other approach is that Council is well within their purview to come up with some sort of a plan. He would have to refer to Attorney Coyle. The Code does have a number of provisions in there where the council has leeway to go where they want.

Ms. Owen said on this particular situation we put this item on the agenda and off the agenda repeatedly because she was told they were not in compliance with a state agency. She told them she didn't want them to apply for this license if she knew she couldn't issue it anyway. At the last minute she was informed that they could go ahead and apply. Those issues with the state agency may still be continuing. She wasn't sure how they could demonstrate that they are in better condition or how long that would be.

Councilwoman Simons asked could we say that if they go a year staying in compliance with the Department of Taxation then you can reapply.

Ms. Owen answered we wouldn't know until their business license renews if they were in compliance. The business license renews yearly. We also had the issue with the business with this situation. It isn't just liquor; it is also the business license. They just renewed and they are good until December.

Councilman Keener asked if there would be any means for an applicant to pay the license a full year in advance.

Ms. Owen answered she wasn't sure because it states in the code that the liquor license is a quarterly license.

Chief Reed said 4-5-9C, Approval by the Council. Probationary period for new licenses is 6 months. Would it apply to them as an initial because this license is starting over? Anytime during that six months during which time the license may be immediately terminated or suspended by the Police Chief for any violation of this chapter or the certificate of license. It would be up to him at that point. An appeal of any decision of the Police Chief would be back to the City Council during that initial six month probationary period.

Tom Coyle, Deputy City Attorney thought that was correct. Council can outright deny the application due to satisfactory business responsibility. You could possibly place those conditions like Councilman Keener was describing. The question he has is if it is terminated, do we then give refunds for the application fee and things of that nature? We didn't really flush that out before coming in.

Mayor Johnson asked if Sergio's had any comments. What is different on this go around?

Sergio Sanchez, Sergio's, said he paid his license already. He is behind on his taxes. He has been sick for about 6 months. He has promised the IRS to make payments every week. He needs his liquor license in order to pay his bills.

Councilman Keener asked if Mr. Sanchez would be opposed to paying your liquor license one year in advance.

Mr. Sanchez answered he is okay with that. He already paid three months.

Don Lemons, Elko Coin and Currency, said he has been working with Mr. Sanchez. He guaranteed he will pay the liquor license as needed.

Councilman Keener said he personally doesn't feel real convinced at this time. He is going to support the Chief's recommendation and leave the door open for Mr. Sanchez to reapply again after six months.

Councilwoman Simons said she was okay with that. She didn't feel they should deny a liquor license forever. Second chances can be given. Six months is sufficient.

Councilman Schmidlein bought into that. A lot of restaurants in the downtown area are struggling. Allowing them to sell alcohol is a privilege. It may help sustain additional income because you can get a good markup on alcohol. He wanted to support city staff. He felt they have spent a lot of wasted time. If council wanted to say he could apply again in six months he was on board with that.

**** A motion was made by Councilwoman Simons, seconded by Councilman Keener, to ratify the Chief's denial of the regular retail liquor license application that Sergio Sanchez, dba Sergio's Mexican Restaurant, located at 743 Idaho Street, Elko, Nevada, 89801, with the provision that Mr. Sanchez may reapply in six (6) months from today.**

The motion passed unanimously. (4-0)

VI. NEW BUSINESS (Cont.)

- E. Consideration of a request from NV Energy for a utility easement on property owned by Elko Regional Airport, and matters related thereto. **FOR POSSIBLE ACTION**

NV Energy is asking City Council to approve new utility easements to replace overhead power lines with subsurface power along Murray Way inside the airport perimeter fence. This power supplies a seasonal City of Elko Water Well 30, Yesco billboard advertising sign and the Shell Gas station on the corner of Terminal Way. Due to the construction of a retaining wall by Mr. Shippy at Ship's Cycle the overhead power lines will be too close to the new higher grade created by Mr. Shippy's retaining wall. The current overhead power poles will be removed from airport property. NV Energy would like to bury the power lines along the Murray Way utility corridor. The easement will be granted to allow NV Energy access for maintenance of the utility conveyance. MG

Curtis Calder, City Manager, explained this is at no cost to the city.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to grant an easement to NV Energy for \$1 for the three areas depicted in Exhibit A of the Grant Application.**

The motion passed unanimously. (4-0)

- F. Review, consideration, and possible authorization for Staff to proceed with seeking professional service to draft a Parcel Map Showing a Merger and Re-subdivision, to create 4 parcels from 5 existing Parcels, in the area of Bullion Road and Errecart Boulevard, and matters related thereto. **FOR POSSIBLE ACTION**

A developer has expressed an interest in a piece of City owned land, shown in the land inventory as lots 65, 74, and 75. Lot #65 is part of a larger parcel that includes the land for the sports complex (lots 64, 72, and 73), Lot 66 that is south of the Bullion and Errecart intersection, and Lot 67 that is northeast of Bullion and Errecart intersection. The Proposed parcels would be as follows: Parcel 1 – merge City inventory lots 64, 72, and 73 for the Sports Complex, Parcel 2 – merge Lots 65, 74, and 75, Parcel 3 – City inventory Lot 66, and Parcel 4 - City inventory Lot 67. An emergency vehicle access easement would also be created by the map, to run along the west, south, and east boundaries of proposed Parcel 2, for the purpose of fighting fire along the City boundary. BT

Bob Thibault, Civil Engineer, handed out a map. He had a recommended motion in the packet but over the past week he noticed some complications with the property. He gave some history of the parcel and the complications. A few weeks back, Jordanelle Third Mortgage, who owns the property to the south of lot 65, came to the city and expressed an interest in lot 65. They paid a \$2,000 fee to have an appraisal done. Their interest in the parcel was to have a secondary access through this parcel to the land in the back. The appraisal came back at roughly \$180,000. As they researched the property, it turns out that parcel is part of a much bigger parcel. Everything highlighted in blue on the map is all one legal parcel right now. Pieces had been cut out of it over time. If somebody wants to buy parcel 65 then it would require a parcel map to create that as a legal parcel. Staff evaluates parcel maps from a development perspective. As we divide land we are supposed to improve the curb, gutter and sidewalk. Since we are going to prepare this map to facilitate a sale rather than development we feel we are within code. Some of these parcels will be developed as part of the Sports Complex.

Scott Wilkinson, Assistant City Manager, said we want to create parcels. Anytime we do that we need to pay attention to access and utilities. What level of improvements is required? The intent is at minimum you get street and utilities extended to parcels you create. We feel with the Sports Complex we are meeting the code requirements. Is the timing of parceling the property appropriate? In his opinion it is premature to go through this process at this time. We could incur an expense up to \$100,000 in doing this and there is a lot of risk. There would be a lot of time put in from staff and a low likelihood the sale of lot 65 would go through. It would probably be better that council not approve staff engaging in the professional services to do the parceling of the property at this time. When we move forward with the development of the Sports Complex, if we need to do some parceling at that time we would be able to deal with it then.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to direct staff to drop all efforts with respect to parceling out and correcting the various different boundary defects with the properties that have been identified as city owned on Exhibit "C" until development of the Sports Complex has a higher level of certainty.**

The motion passed unanimously. (4-0)

- G. Review, consideration, and possible approval of a First Amendment to Nonexclusive Franchise Agreement for Purpose of Conveying Data Communications Over, Under, In, Along and Across Public Roads of the City Between the City of Elko and Beehive Broadband, LLC, and matters related thereto. **FOR POSSIBLE ACTION**

The Nonexclusive Franchise Agreement with Beehive Broadband, LLC, indicates that the passage of an ordinance outlining the terms would be forthcoming. It has been determined that all terms are set forth in the franchise agreement and an ordinance is not necessary. The First Amendment removes the requirement for an ordinance. SO

Shanell Owen, City Clerk, explained this is a housekeeping item. Everything that we need to have in the franchise agreement is already included in the agreement so there is no need for an

ordinance. The City Attorney drafted the document and she received a signed original back from Beehive Broadband so they are in agreement with it.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to approve the First Amendment to the Nonexclusive Franchise Agreement for the Purpose of Conveying Data Communications Over, Under, In, Along and Across Public Roads of the City Between the City of Elko and Beehive Broadband, LLC.**

The motion passed unanimously. (4-0)

VII. RESOLUTIONS AND ORDINANCES

- A. Review, consideration, and possible approval of Resolution No. 15-15, a resolution authorizing budget transfers for Fiscal Year 2014/2015 for various funds of the City pursuant to NRS 354.598005, and matters related thereto. **FOR POSSIBLE ACTION**

This is the annual year-end housekeeping item to transfer funds between functions, and funds as required to fund all budgetary changes that occurred during the fiscal year. DS

Dawn Stout, Administrative Services Director, explained we do this every year. The budget is a working document. Certain things come up and we have over expenditures. This is her best guess. There is a lot more out there that she is not aware of at this time.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to approve Resolution No. 15-15.**

The motion passed unanimously. (4-0)

- B. Review, consideration, and possible approval of Resolution No. 16-15, a resolution designating components of the fund balance of all required governmental funds pursuant to GASB Statement #54, and other matters related thereto. **FOR POSSIBLE ACTION**

The Governmental Accounting Standards Board (GASB) issued Statement No. 54 Fund Balance Reporting and Governmental Fund Type Definitions, with the intent of improving financial reporting by providing fund balance categories that will be more easily understood. Resolution No. 16-15 further designates the components of all qualifying governmental fund balances. DS

Ms. Stout explained this is another housekeeping item that we are required to do under GASB #54. This has been in place 4 years now.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to approve Resolution No. 16-15.**

The motion passed unanimously. (4-0)

- C. Review, consideration, and possible approval of Resolution No. 17-15, a resolution authorizing augmentation of the 2014/2015 Fiscal Year Budget of the Health Insurance Fund, increasing appropriations to \$2,450,740 to account for \$300,000 in unanticipated revenues, pursuant to NRS 354.598005, and matters related thereto. **FOR POSSIBLE ACTION**
The Health Insurance Fund received \$300,000 in additional revenues from provider reimbursements (Stop-Loss Reimbursements). This revenue was not budgeted and was unanticipated during the budgeting process. In order to pay for the expenses associated with this revenue it is necessary to augment the budget.
DS

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to approve Resolution No. 17-15, augmenting the Health Insurance Fund in the amount \$300,000 pursuant to NRS 354.598005.**

The motion passed unanimously. (4-0)

VIII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible action to accept a petition for the vacation of the public access, utility, and drainage easement located on the northwesterly side of APN 001-660-0AD consisting of an area approximately 20 feet in width by 106 feet in depth, filed by MP Elko LLC and processed as Vacation No. 5-15, and matters related thereto. **FOR POSSIBLE ACTION**

Jeremy Draper, Development Manager, explained this is next to the Sears building. This for possible expansion of that building for another tenant. He would like to forward this to Planning Commission for further evaluation.

**** A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to accept the petition for vacation and direct staff to commence the vacation process by referring the matter to the Planning Commission.**

The motion passed unanimously. (4-0)

- B. Review, consideration, and possible action to accept a petition for the vacation of a portion of the Village Parkway right-of-way consisting of an area approximately 103 feet in width by 5 feet in depth, filed by The Capps Group, Inc. on behalf of Parrado Partners LP and processed as Vacation No. 4-15, and matters related thereto. **FOR POSSIBLE ACTION**

Mr. Draper explained this is for a right-of-way going into the current subdivision. When the subdivision map was approved preliminarily, that roadway width was narrower than the dedicated right-of-way for Village Parkway. This brings that in to align with the current subdivision.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to accept the petition for the vacation and direct staff to commence the vacation process by referring the matter to the Planning Commission.**

The motion passed unanimously. (4-0)

- C. Review, consideration, and possible action to accept a petition for annexation of property to the City, filed and processed as Annexation No. 3-15 by Chad and Kimberly Anderson, consisting of approximately 1.411 acres of property located generally on the south side of Tamarack Road approximately 320 feet east of Royal Crest Drive, and matters related thereto. **FOR POSSIBLE ACTION**

Mr. Draper said this property is another infill type annexation that is surrounded by City property. He wanted to forward this to Planning Commission.

Councilman Schmidlein asked heading south there are two lots there. How do they gain access there? Is there an easement?

Mr. Draper said there is a 30' roadway easement for the adjacent property owner. It is not a public easement but it is for that property owner so they do have continual access for that. High Desert Engineering is doing research on that to see if they own that easement and if they have the right to vacate that or use it as part of their parcel.

**** A motion was made by Councilwoman Simons, seconded by Councilman Keener, to accept this petition for Annexation No. 3-15 and forward it to the Planning Commission.**

The motion passed unanimously. (4-0)

III. CONSENT AGENDA

- A. Review, consideration, and possible rescission of Confidential Employee Records Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Confidential Employee Records Policy has been replaced by the previously approved Personnel Files Policy. DG

- B. Review, consideration, and possible rescission of Employment References Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Employment References Policy has been replaced by the previously approved Employment Policy. DG

- C. Review, consideration, and possible rescission of 1.3.1 Equal Employment Opportunity Policy, and matters related thereto. **FOR POSSIBLE ACTION**

Policy 1.3.1 Equal Employment Opportunity has been replaced by the previously approved Fair Employment Practices Policy. DG

- D. Review, consideration, and possible rescission of the outdated Family and Medical Leave Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The outdated Family and Medical Leave Policy has been replaced by the previously approved Family and Medical Leave Policy. DG

- E. Review, consideration, and possible rescission of Illegal Harassment Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Illegal Harassment Policy has been replaced by the previously approved Anti-Harassment Policy. DG

- F. Review, consideration, and possible rescission of Licenses Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Licenses Policy has been replaced by the previously approved Application Forms Policy. DG

- G. Review, consideration, and possible rescission of Prevention of Sexual Harassment Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Prevention of Sexual Harassment Policy has been replaced by the previously approved Anti-Harassment Policy. DG

- H. Review, consideration, and possible rescission of Prohibition of Workplace Violence Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Prohibition of Workplace Violence Policy has been replaced by the previously approved Anti-Harassment Policy. DG

- I. Review, consideration, and possible rescission of Telephone Use Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Telephone Use Policy has been replaced by the previously approved Use of Employer Property Policy. DG

- J. Review, consideration, and possible rescission of Use of Computer and Communications Systems Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Use of Computer and Communications Systems Policy has been replaced by the previously approved policy Information Technology Policy. DG

- K. Review, consideration, and possible adoption of revised Random Drug and Alcohol Testing Percentages for Safety Sensitive Positions, and matters related thereto. **FOR POSSIBLE ACTION**

The Random Testing Policy calls for 50 percent of safety sensitive positions to be tested annually. Staff is recommending that number be changed to 40 percent for budgetary reasons. DG

- L. Review, consideration, and possible adoption of revised Vehicle Use Policy, and matters related thereto. **FOR POSSIBLE ACTION**

When previously approved, the Vehicle Use Policy inadvertently omitted the take home use of the Police Lieutenants vehicle. The revised policy has been changed to reflect actual practice. DG

- M. Review, consideration, and possible rescission of 1992 Personnel Manual, and matters related thereto. **FOR POSSIBLE ACTION**

The 1992 Personnel Manual has been replaced by the previously approved policies. DG

- N. Review, consideration, and possible rescission of Annual Leave Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Annual Leave Policy has been replaced by the previously approved Annual Leave Policy. DG

- O. Review, consideration, and possible rescission of Catastrophe Health Plan Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Catastrophe Health Plan Policy has been replaced by the previously approved Benefits Policy. DG

- P. Review, consideration, and possible rescission of Drug and Alcohol Testing Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Drug and Alcohol Testing Policy has been replaced by the previously approved Drug and Alcohol Free Workplace Policy. DG

- Q. Review, consideration, and possible rescission of Employee Development Policy, and matters related thereto. **FOR POSSIBLE ACTION**

The Employee Development Policy has been replaced by the previously approved Educational Assistance policy. DG

- R. Review, consideration, and possible rescission of Volunteer Policy 1.20, and matters related thereto. **FOR POSSIBLE ACTION**

The Volunteer Policy 1.20 has been replaced by the previously approved Volunteer Policy. DG

- S. Review, consideration, and possible approval of a request from Mike Gallagher to renew and/or extend the term of their T-Hangar Lease Agreement, and matters related thereto. **FOR POSSIBLE ACTION**

The airport T-hangar ground lease agreement for Mike Gallagher who owns Hangar D6 will expire on June 30, 2015. The City of Elko has an established past practice of renewing and/or extending T-Hangar Leases that have previously

expired, as long as the leases have remained in good standing. Additionally, airport ground leases of less than one-half an acre are no longer subject to appraisal/auction process for cities whose population is less than 25,000 (NRS 496.080). MG

- T. Review, consideration, and possible approval of a request from Art Mueller to renew and/or extend the term of their T-Hangar Lease Agreement, and matters related thereto. **FOR POSSIBLE ACTION**

The airport T-hangar ground lease agreement for Art Mueller who owns Hangar F4 will expire on June 30, 2015. The City of Elko has an established past practice of renewing and/or extending T-Hangar Leases that have previously expired, as long as the leases have remained in good standing. Additionally, airport ground leases of less than one-half an acre are no longer subject to appraisal/auction process for cities whose population is less than 25,000 (NRS 496.080). MG

- U. Review, consideration, and possible approval of a request from the Park Blair Trust to renew and/or extend the term of their T-Hangar Lease Agreement, and matters related thereto. **FOR POSSIBLE ACTION**

The airport T-hangar ground lease agreement for Park Blair whose Trust owns Hangars B5 & B6 will expire on June 30, 2015. The City of Elko has an established past practice of renewing and/or extending T-Hangar Leases that have previously expired, as long as the leases have remained in good standing. Additionally, airport ground leases of less than one-half an acre are no longer subject to appraisal/auction process for cities whose population is less than 25,000 (NRS 496.080). MG

**** A motion was made by Councilwoman Simons, seconded by Councilman Keener, to approve the consent agenda.**

The motion passed unanimously. (4-0)

IV. APPROPRIATIONS

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

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

The motion passed unanimously. (4-0)

- B. Review and possible approval of Print 'N Copy Warrants. **FOR POSSIBLE ACTION**

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to approve the Print 'N Copy warrants.**

The motion passed. (3-0 Councilman Keener abstained.)

X. REPORTS

- A. Mayor and City Council
- B. City Manager – Legislative Update
Curtis Calder gave a legislative update. It is over and he will be forwarding a report as soon as the ten day veto time has passed. The air service bill we sponsored never got through the assembly.
- C. Assistant City Manager
Scott Wilkinson said we have more people staying at the campground. He didn't think we are having any problems that we didn't anticipate.
- D. Utilities Director
Ryan Limberg reported the Cattle Drive deed of dedication was recorded. He has contacted Dave Stanton to work on a Professional Services Agreement with Manhard to finish the engineering drawings for the waterline.
- E. Public Works
Dennis Strickland reported the bridge rehab project is close to being completed. They will do a pre-final on Friday. The Silver Street CDBG Project is getting close to completion.
- F. Airport Director
- G. City Attorney
- H. Fire Chief
Chief Griego reported there have been several responses down to the homeless camp and it has been beneficial for his forces to have an address and a space number for them to respond to so they can get to victims much quicker and safer.
- I. Police Chief
Chief Reed had a list he reported on. Campers by the 12th Street Bridge; that area is unoccupied but the area is still littered. Some have gone to the campground. We are working on the Errecart area now. He has gotten some calls to the campground regarding disturbances between the campers. They will be working with FISH on that. There have been a lot of burglaries recently. One suspect and some stolen articles have been recovered. The SWAT team was sent out to Deeth as requested by the Sheriff. Three were arrested and guns were recovered. ATF had also responded. There is another parade coming up; the Elko Pride Festival. The next weekend will be the Motorcycle Jamboree. We are anticipating the same amount of public participation this year as we did last year. He applied for a mini grant through POOL/PACT. It is DBA wine walk season. Last year it became popular.
- J. City Clerk
Shanell Owen reported on a downtown closure we had. It came in before we could put it on the agenda. The event was put on by the G on June 3rd and closed a portion of the corridor in front of The G for a private party.
- K. City Planner - Rezone No. 4-15 and Rezone No. 6-15
Rick Magness reported on two rezones included in the packet.
- L. Development Manager

Jeremy Draper reported the Police Station is still progressing on schedule. Last week he went to Carson City and met with NDOT and other agencies. NV Energy is trying to collect the necessary easements through the CAPPs property and should start work next week. The tennis courts are moving forward with the color selection and surfacing should show up next week. We will wait for their bonding company to push them to get the project done.

- M. Administrative Services Director – Consolidated Sales Tax Update
Dawn Stout updated Council on the sales tax report for March. Sales were up.
- N. Parks and Recreation Director
- O. Civil Engineer
Bob Thibault reported he has been working on some road construction on Silver Street infrastructure improvements. Hopefully that will go out to bid next month.
- P. Building Official

COMMENTS BY THE GENERAL PUBLIC

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

There were no public comments.

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

Mayor Chris Johnson

Shanell Owen, City Clerk