

**CITY COUNCIL MINUTES
REGULAR MEETING
October 23, 2007**

The Winnemucca City Council met in regular session on Tuesday, October 23, 2007 at 1:00 p.m. in the City Hall meeting room. Present: Mayor Di An Putnam, Councilmen Richard Stone, Doug Cain, Joyce Sheen, Patty Herzog and Don Stoker. Staff present: City Manager Steve West, City Attorney Kent Maher and City Clerk Eddy Davis.

APPROVAL OF MINUTES:

The October 9, 2007 regular meeting minutes were presented for approval. Councilman Stone noted the Public/Personal Communication/Correspondence item stated that the traffic accident which occurred at the Hanson/Fourth Street intersection resulted in fatality, but it was only a serious injury to the pedestrian. Councilman Stoker moved to approve the October 9, 2007 regular meeting minutes as amended. Motion carried unanimously.

APPROVAL OF WARRANTS:

The warrants were presented for review and approval. Councilman Cain moved to approve the warrants as submitted. Motion carried unanimously.

PROCLAMATIONS / EMPLOYEE AWARDS:

There were no proclamations or awards presented.

PUBLIC / PERSONAL COMMUNICATION / CORRESPONDENCE:

Mayor Putnam said former Winnemucca Mayor Joe Jamello recently passed away. Jamello was Mayor for eight years.

Mayor Putnam read the Nevada League of Cities and Municipalities Resolution 07-01 which thanked the City of Winnemucca for the gracious hospitality extended to those who attended the NLC conference held September 19-22, 2007 in Winnemucca.

DISCUSSION / ACTION ON ITEMS OF BUSINESS & OTHER REPORTS:

BUSINESS IMPACT DETERMINATION

City Attorney Maher and the Council reviewed and discussed briefly the agenda items and the effect each item could potentially have on a "business" as the term is defined by statute. The Council agreed that no item on this agenda appears to impose a direct and significant economic burden on a business or appears to directly restrict the formation, operation or expansion of a business. Councilman Sheen moved to make a finding that no item on this agenda appears to impose a direct and significant economic burden on a business or appears to directly restrict the formation, operation or expansion of a business. Motion carried unanimously.

VARIANCE / REDUCE SIDE-YARD SETBACK / STEVEN CALL

Sandy Hammargren, Humboldt County Planning Department, said staff reviewed the Steven Call variance application and all requirements have been met. Staff recommends approval. It was noted that the carport would be attached to the side of the home and drainage would stay on the property. Councilman Sheen moved to approve variance application VW-07-12 to the

reduce the five feet (5') side yard setback to three feet (3') to allow for carport construction at 622 Camelot Way, APN 15-092-14, for Steven Call. Motion carried unanimously. Resolution Number 2007-32.

VARIANCE / REDUCE FRONT-YARD SETBACK / WINNEMUCCA COMMUNITY GARDEN

At the request of the applicant, this item was postponed until the November 6 meeting to allow the Community Garden board of directors time to discuss the possible relocation of the front fence. Bill Cox, owner of property adjacent to the back side of the Winnemucca Community Garden, voiced his opposition to the variance request adding that another neighbor was also in opposition to the variance. Cox understood the restroom facility was going to be constructed on the opposite side of the backyard fence he shares with the garden. Sandy Hammargren, Humboldt County Planning Department, advised that the restroom facility was actually going to be placed on the McArthur Avenue side of the Community Garden property, which is opposite the Cox property. Councilman Sheen asked why the restroom facility is proposed to be built between the sidewalk and the fence line. Sheen feels the facility should be behind the fence and inside the garden area, which would deter against vandalism. City Manager West explained the actual property line is closer to the sidewalk on McArthur Avenue, and the Community Garden would like to relocate the fence along the actual property line to maximize the use of the property. The restroom facility, when constructed, would then be built behind the fence line. A variance would also have to be granted if the Community Garden erects a six-foot high fence along the front property line. Cox stated he did not have a problem with granting this variance if the restroom facility is built on the McArthur Avenue side of the property and if the variance only applies to the restroom building. The variance request will be considered at the next regularly scheduled City Council meeting.

ORDINANCE ADOPTION / WINNEMUCCA MUNICIPAL CODE (WMC) CHAPTER 8.04 AMENDMENT / SOLID WASTE FROM OUTSIDE LANDFILL DISTRICT-FEE ASSESSMENT

Mayor Putnam called for public comment. None was given. Councilman Sheen asked if those present were comfortable with the proposed ordinance. Sheen explained the amendment will allow for waste to be accepted from outside of the Landfill District, which is comprised of all of Humboldt County, for disposal at sites other than the Humboldt County Regional Landfill, and will authorize the assessment of fees for acceptance of such waste. Councilman Stoker asked about fee structure and revenue sharing issues. Sheen and City Attorney Maher said there is not enough information known to make a determination on fee structures and distribution of those fees. In answer to Councilman Herzog's question, Maher said Lincoln County has authorized waste from outside the county and Elko County is apparently considering accepting waste from outside the county. Herzog expressed concern with waste disposal becoming a predominant factor in the economic development of Humboldt County because it has the potential to override other important issues such as business development and affordable housing. Sheen added that the State has implemented stringent landfill regulations. Councilman Cain pointed out that alternative energies could be developed as a byproduct of waste disposal. Councilman Sheen moved to adopt Ordinance Number 741, Bill Number 10-01-2007 to amend Winnemucca Municipal Code Chapter 8.04 to authorize acceptance of solid waste from outside the Landfill District for disposal at sites other than Humboldt County Regional Landfill and to provide for the assessment of fees for acceptance of solid waste from outside the Landfill District. Motion carried unanimously.

PROPOSAL TO REGULATE OFFENSIVE CONDUCT

City Attorney Maher presented for review a draft ordinance to regulate certain types of offensive or objectionable conduct. After much discussion, it was determined the Council needed time to review the draft ordinance. Various items of discussion included: the geographical area the ordinance would encompass; open container restrictions; restrictions at or around a variety of special events; and, various types of conduct which should be subject to regulation. Mayor Putnam urged that all aspects of the issues be considered and stressed that the control or regulation should only be implemented after thorough consideration is given to the issues. This item was postponed pending review by the Council, Staff and City Attorney.

WINNEMUCCA MUNICIPAL CODE (WMC) 3.12 AMENDMENT PROPOSAL / REVISE GOLF COURSE, RECREATION DEPARTMENT AND POOL FEES

Recreation Supervisor Steve Swecker distributed for review a recreation activities fee structure comparison for various Nevada public entities. The Mayor noted that the fees have not been increased in three years, while fuel and utility costs have risen substantially. All agreed that an analysis of revenues and costs associated with the recreation department is needed. Staff was directed to research costs and revenues for the past three years. The analysis will help determine how much the taxpayers are subsidizing recreation in each area. Topics discussed included: softball participation; promotional golf packages; recreation tax; and, the weight room utilization and safety. Councilman Sheen suggested that a retreat could be scheduled for the purpose of addressing this issue in greater detail as well as other important issues the City is facing. Mayor Putnam asked staff to prepare a three-year analysis of costs and revenues of the recreation department. Councilman Stoker added the City has historically taken a conservative approach when developing fee structures and that he would like to continue the practice.

LOADER PURCHASE / SEWER DEPARTMENT

City Manager West said that by law local government entities are allowed to join or use the contracts of other local government entities. Elko County recently bid and purchased for \$181,500 from Cashman Equipment a loader that is identical to the loader the City desires to purchase. The City allocated \$200,000 in the current year budget for a loader purchase. The loader currently used by the City was purchased in 1983. Staff recommends a contract be awarded as presented. Councilman Sheen moved to authorize the use of the Elko County, Nevada contract pursuant to NRS 332.195 to purchase one (1) new model year 2007-2008 integrated tool carrier front-end loader in the amount of \$181,500 from Cashman Equipment. Motion carried unanimously.

CONGRESSIONAL FUNDING REQUEST LETTER / THOMAS FIRE RE-SEEDING

Mayor Putnam said the Humboldt County Commission sent a letter to Congressman Dean Heller asking for emergency financial assistance towards the funding of the re-seeding of properties affected by the Thomas Fire. The County Commission has requested that the City Council send a similar letter to the Congressional delegation. The Mayor and Council expressed agreement. Councilman Stoker moved to direct staff to send letters to the Nevada Congressional delegation requesting financial assistance from the NRCS for the re-seeding of governmental and private properties affected by the Thomas Fire and to authorize the Mayor to

sign the letter for the City. Motion carried unanimously. Staff was directed to send letters to the private property owners directly affected by the Thomas Fire asking that they personally send a similar letter of request to the Nevada Congressional delegation.

STAFF / COUNCIL COMMENTS

City Clerk Davis distributed a news release and related forms announcing the completion of the new ACH debit pay program for utility payments. This program is now available to the public as another utility bill-pay option. Davis also reported on the website re-design project. Information is being gathered in order to determine the best option available to the City. For an up-to-date website to be developed there is an estimated cost of \$10,000-\$15,000 along with a \$250-\$300 per month maintenance fee.

City Manager West will be attending a POOL/PACT insurance appeal committee meeting in Carson City on October 24. West reported that he had just been appointed to the insurance pool executive committee. The Nevada Department of Transportation (NDOT) aviation trust fund has granted the City \$8,500 in additional funding towards the FAA airport project. West and City Attorney Maher reviewed the requirements necessary to determine if there is a critical labor shortage with the volunteer firemen. If a critical labor shortage can be proven, the PERS program would allow any volunteer firemen that retired under the PERS program to continue serving in that capacity. Maher reported the requirements are straight forward and must be identified and justified before a critical labor shortage designation can be determined. The current law is expected to sunset in 2009.

Councilman Stone said the HDA met last week and authorized a \$10,000 reimbursement to the City towards the purchase of the BLM land at the airport. The grand opening for Carry-On Trailers is expected to take place in November or possibly February.

Councilman Cain said there was nothing to report regarding the RTC or the LEPC.

Councilman Sheen said a Landfill Committee meeting is scheduled for October 24 at 2:00 p.m.

Councilman Herzog will be attending the Resource Advisory Council meeting with the BLM next week in Carson City and will bring back a full report. Herzog asked staff to investigate the intense outside lighting at the Family Dollar Store.

Councilman Stoker said that scheduled activities sponsored by the WCVA were coming to a close for the year. The upcoming Senior Pro Rodeo is the last event for the season. The WCVA has invited Roger Brooks to speak on Monday, November 19 at the West Hall of the Convention Center between 5:30 p.m. and 7:30 p.m. to share ideas for a new community brand. It is an open forum meeting and the general public is invited. Stoker asked that this meeting be posted so that the entire Council could attend. According to WCVA Director Kim Petersen, Brooks is one of the most sought after speakers on tourism in North America.

Mayor Putnam stated Bob Lord will present the City of Winnemucca with a plaque commemorating the USS Winnemucca. The Mayor entered into a wager with the Fernley mayor over the high school football game last week between the Lowry Buckaroos and Fernley Vaqueros. The Mayor lost the wager and will now have to address the Fernley City Council.

City Council Minutes
October 23, 2007
Page 5

Mayor Putnam adjourned the meeting at 2:40 p.m., until the next scheduled regular meeting on November 6, 2007.

Respectfully submitted,

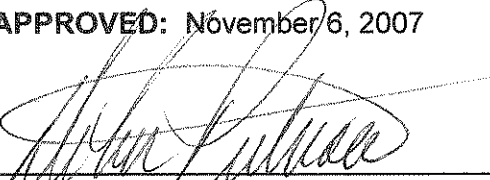
Eddy D. Davis
City Clerk

PASSED AND ADOPTED: November 6, 2007

VOTE OF COUNCIL:

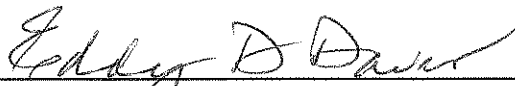
AYES:	Councilmen	<u>Stone, Cain, Sheen, Herzog, Stoker</u>
NAYS:	Councilmen	_____
NOT VOTING:	Councilmen	_____
ABSENT:	Councilman	_____

APPROVED: November 6, 2007



Di An Putnam
Mayor

ATTEST: November 6, 2007



Eddy D. Davis
City Clerk

**NEVADA LEAGUE OF CITIES AND MUNICIPALITIES
RESOLUTION 07-01**

RESOLUTION OF APPRECIATION TO THE CITY OF WINNEMUCCA FOR THEIR GRACIOUS HOSPITALITY DURING THE NEVADA LEAGUE OF CITIES AND MUNICIPALITIES 48TH ANNUAL CONFERENCE, SEPTEMBER 19-22, 2007.

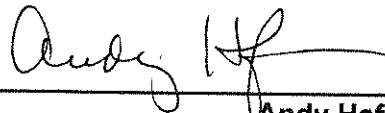
WHEREAS, the City of Winnemucca, played host to the 48th Annual Conference of the Nevada League of Cities & Municipalities held on September 19 - 22, 2007; and

WHEREAS, the Mayor, Council Members of the City of Winnemucca, and others responsible for this conference have most congenially provided for the welfare, reception and entertainment of the delegates, spouses, families and guests.

NOW THEREFORE, BE IT RESOLVED that the Nevada League of Cities and Municipalities extends its sincerest appreciation and thanks to the Council Members and staff of the City of Winnemucca for their gracious hospitality so warmly bestowed upon us at this Annual Conference.

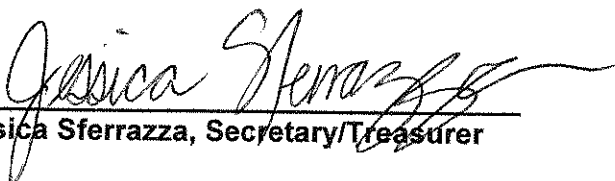
APPROVED by the Nevada League of Cities and Municipalities on this 22nd day of September, 2007.

SIGNED:



Andy Hafen, President

ATTEST:



Jessica Sferrazza, Secretary/Treasurer

