

**CITY COUNCIL MINUTES
REGULAR MEETING
April 6, 2010**

The Winnemucca City Council met in regular session on Tuesday, April 6, 2010 at 2:00 p.m. in the City Hall meeting room. Present: Mayor Di An Putnam, Councilmen Richard Stone, Doug Cain, Joyce Sheen, and Paige Brooks. Staff present: City Manager Steve West, City Attorney Kent Maher and City Clerk Eddy Davis.

CALL TO ORDER

Mayor Putnam called the meeting to order at 2:00 p.m.

APPLICANTS FOR VACANT CITY COUNCIL SEAT 4

Mayor Putnam said there are seven applicants interested in filling the City Council seat vacated by Patty Herzog. Putnam asked the Council what method they wanted to use for determining who will fill the vacancy. Councilman Sheen said she was appointed through an interview process with the Council. Filling the vacancy is an important decision, and it is possible the appointee will file for the open seat in the general election. A special meeting should be scheduled to interview the prospective candidates. Putnam and the other council members agreed. A special meeting date was set for Monday, April 12 at 4:00 p.m. Candidates will interview in 15 minute intervals. After the interviews, the Council will deliberate and possibly make an appointment.

APPROVAL OF MINUTES:

The March 23, 2010 regular City Council meeting minutes were presented for review and Councilman Sheen moved for approval as submitted. Motion carried unanimously.

APPROVAL OF WARRANTS:

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

PROCLAMATIONS / EMPLOYEE AWARDS:

Mayor Putnam read a proclamation sponsored by the Community Advocates Against Sexual Assault (CAASA) proclaiming April 2010 as "Sexual Assault Awareness Month." Miss Nevada Christina Keegan was in attendance. Keegan said that every year there are 300,000 new victims of sexual assault in the United States and that she was a sexual assault victim. There are 20 million assault victim survivors in this country, and the victim is never at fault. Keegan spoke on the conception of "Denim Day" and how it supports victims of sexual crimes.

Other proclamations included the designation of April 2010 as "Sexual Assault Awareness Month" sponsored by the Nevada Coalition Against Sexual Violence (NCASV) and the Winnemucca Domestic Violence Shelter (WDVS); April 2010 as "Child Abuse Prevention Month" sponsored by CAASA in conjunction with NCASV and WDVS (the 199 pinwheels on the City Hall lawn represent 199 child abuse cases registered in Humboldt County); and, April 18-24 as "Crime Victims' Rights Week" sponsored by the WDVS.

JoAnn Casalez, representing the Winnemucca Domestic Violence Shelter, presented a Certificate of Appreciation to the City for promoting these worthwhile causes. Casalez said Humboldt County approved a 10-year lease of property to be used for WDVS. A white ribbon pledge poster was viewed. Signatures on the poster are from men who are against domestic violence.

PUBLIC / PERSONAL COMMUNICATION / CORRESPONDENCE

There was no public, personal communication or correspondence.

DICUSSION / 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.

REZONE REQUEST RW-10-07 / MOJICA

Betty Lawrence, Humboldt County Planning Department, noted a similar variance was issued last year to a neighbor. The City Building Inspector will require construction of a fire wall because of the two foot side yard setback. Councilman Stone moved to approve, per staff recommendation and findings, variance request VW-10-07 to reduce the side yard setback from 5-ft. to 2-ft. allowing for the construction of a carport in a R-1-6 MHC (Single-Family Residential 6,000 sf minimum lot size-Manufactured Home Combining zoning) district located at 4135 Guthrie Lane, APN 016-312-02, for Fernando Mojica. Motion carried unanimously. Resolution Number 2010-08.

REQUEST TO ABANDON PORTION OF EXISTING UTILITY EASEMENT / CHIHUAHUA'S CANTINA-RIVERA

John Milton, Desert Mountain Surveying, said he represented Javier and Dora Rivera, owners of Chihuahua's Cantina on Giroux Street. The new building addition to the restaurant necessitated relocation of the sewer line. The existing sewer easement needs to be abandoned. A new easement for the new sewer line will be created through the record of survey map procedure. City Attorney Maher said this request needs to be noticed for public hearing. Councilman Stone moved to set to public hearing the request to abandon a portion of an existing utility easement in Block "Y" of the City located at 71 Giroux Street, on behalf of Javier and Dora Rivera, APN 015-143-05. Motion carried unanimously.

REQUEST FOR PERMANENT STREET CLOSURES / YEAGER

Mayor Putnam said Mike Yeager is requesting permanent street closures of Humboldt and Riverside Streets located northeast of Baud Street. Putnam said staff reviewed the request and determined the streets do not lead to any properties other than to those owned by Yeager. City

Manager West said an easement reservation is not required because Yeager is the only property owner that benefits from any utilities in the rights of way. Yeager is requesting an abandonment of both Humboldt and Riverside Streets. Yeager said he will convert the lots to acreage (after the streets are abandoned) so that the property will not be broken up and sold separately (after he no longer owns the property). City Attorney Maher said this request needs to be noticed for a public hearing. Councilman Cain moved to set to public hearing the request for the abandonment of Humboldt and Riverside Streets located northeast of Baud Street in the Riverside addition on behalf of Mike Yeager. Motion carried unanimously.

REQUEST TO TRANSFER CITY PROPERTY / NEVADA RURAL HOUSING AUTHORITY

Mayor Putnam reported that she and City Manager West met with David Craig, Director of Real Estate with the Nevada Rural Housing Authority (NRHA), and Eric Novak, Praxis Consulting Group, who is working for NRHA. NRHA proposes to acquire the 2.12 acres of City property adjacent to the existing Senior Center (also known as the Pleasant Center) to facilitate construction of additional affordable housing. A public hearing is necessary as part of the process. City Attorney Maher explained the exact procedure and the stipulations which must be included in the agreement to transfer the property on Minor Street to the NRHA. The property will be used to develop affordable housing based on a lower income scale. If the NRHA doesn't utilize the property for such purpose within five years, the property will revert back to the City. Nearby property owners must be notified of the public hearing. Councilman Sheen moved to set to public hearing the request to transfer approximately 2.12 acres of land located adjacent to the Senior Center on West Minor Street, APN 016-171-06, to the Nevada Rural Housing Authority for construction of the additional housing. Motion carried unanimously. Putnam added she met with the Senior Center board and they are in favor of more low income housing for this property.

LEASE AGREEMENT CANCELLATION / SENIOR CITIZENS OF HUMBOLDT COUNTY, INC.

Mayor Putnam read a motion from the minutes made by the Senior Citizens of Humboldt County, Inc. whereby they agreed to the discontinuation of the existing lease as it relates to the vacant property (discussed in the previous agenda item) and to establish a new lease (for the remainder of the property now under lease) with specifications to include residency qualifications based on the new low income guidelines for housing. David Craig, Director of Real Estate for the Nevada Rural Housing Project (NRHP), said construction would take place in two phases of 30-units each. If everything goes according to plan, ground breaking on the first phase could happen as early as February of next year. City Attorney Maher explained the history behind the lease agreement with the senior citizens group. The City originally owned the land and it was transferred to NRHA. The original lease was between the NRHA and the Senior Citizens of Humboldt County, Inc. for the Winnemucca Manor property and the Senior Center property. In 1993, title to the land was transferred back to the City from the NRHA. Thereafter, a lease was signed between the City and the Senior Citizens of Humboldt County, Inc. for the Winnemucca Manor property and Senior Center property. Later, the 2.12 acres adjacent to Winnemucca Manor and the Senior Center was added to the lease. The current lease needs to be terminated to allow the 2.12 acres to be transferred to NRHA, but a new lease is necessary to continue allowing the Winnemucca Manor property and Senior Center property to be used by the Senior Citizens of Humboldt County, Inc. Craig said he appreciated the cooperation

between the City and the senior citizen group. Staff was directed to work with the Senior Citizens of Humboldt County, Inc. on the creation of a new lease to be brought back to the Council for consideration at their next meeting.

PRIORITIZE FISCAL YEAR 2010-2011 REGIONAL TRANSPORTATION (RTC) PROJECTS

City Manager West reviewed a list of recommended projects to be prioritized from the Regional Transportation (RTC) fiscal year 2010-2011 budget. West said stimulus funding has also been designated for additional street chip sealing in the next fiscal year. The Water Canyon Road project was discussed. Councilman Sheen asked whether it was worth it to re-construct approximately one-third of the road now, rather than waiting to include the entire length of Water Canyon Road into one project. West said a right-of-way from Offenhauser was still necessary in order to re-construct the remaining two-thirds of the road. Reconstructing one-third of the road is evidence to the abutting residents that the City is doing all it possibly can do without having the right-of-way required to improve the remainder of the roadway. Staff was directed to create the resolution to be presented for approval at the next meeting.

CITY COUNCIL COMMITTEE AND BOARD APPOINTMENTS AND ASSIGNMENTS

Mayor Putnam said she did not want to leave board appointments vacant resulting from the departure of Councilman Herzog. Mayor Putnam appointed Councilman Cain to the Airport Board to replace Councilman Sheen, and appointed Councilman Sheen to the Winnemucca Convention and Visitors Authority board to replace Herzog. Giovette Giordano-Cassinelli has asked to be appointed to the Humboldt Regional Planning Commission. Councilman Sheen moved to accept Giovette Giordano-Cassinelli's appointment to the vacant seat on the Humboldt Regional Planning Commission. Motion carried unanimously.

STAFF / COUNCIL REPORTS

City Clerk Davis gave an update on the delinquent assessments. Davis presented the cover page to the fiscal year 2010-2011 tentative budget from signatures by the Council. The deadline to submit the tentative budget to the state is April 15.

City Manager West reported that the advertisement for bids on the pipe for the Stuart Street Storm Drain project has been published. Finalizing the construction plan sheet for the project is underway. The contractor completed the water tank cleaning and repair project last Friday evening. A design workshop on the new police station has been scheduled with the architect for tomorrow. The negotiation committee met with the City Employee's Association on March 25 and meetings have been scheduled in April with both police associations. The state minimum wage will increase on July 1.

Councilman Stone said the HDA is scheduled to meet next week.

Councilman Cain reported the Winnemucca Community Garden will celebrate Earth Day on April 22. Changes have been made by the Ethics Commission to their guidelines for elected officials.

