

**CITY COUNCIL MINUTES
REGULAR MEETING
AUGUST 18, 2015**

The Winnemucca City Council met in regular session on Tuesday, August 18, 2015 at 2:00 p.m. in the City Hall meeting room. Present: Mayor Di An Putnam and Councilmen Mike Owens, Theresa Mavity, Ken Tipton, Jim Billingsley and Paige Brooks. Staff present: City Manager Steve West, City Attorney Kent Maher and City Clerk Lorrie Haaglund.

CALL TO ORDER:

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

APPROVAL OF MINUTES:

The minutes of the August 4, 2015 regular City Council meeting were reviewed and Councilman Tipton moved for approval as submitted. Motion carried unanimously.

APPROVAL OF WARRANTS:

The warrants were reviewed and Councilman Mavity moved for approval as submitted. Councilman Billingsley abstained from voting on warrants for Jim Dandy Productions as he is the owner of the business. Motion carried unanimously.

PROCLAMATIONS / EMPLOYEE AWARDS:

Mayor Putnam said Building Inspector Sherrie Chaplin recently retired and Putnam acknowledged and thanked her for 32 years of dedicated service with the City and the Building Department.

PUBLIC / PERSONAL COMMUNICATION / CORRESPONDENCE:

There was no public or personal communication or correspondence.

DISCUSSION / ACTION ON ITEMS OF BUSINESS & OTHER REPORTS:

BUSINESS IMPACT DETERMINATION

After review and consideration of 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 Owens moved to make a finding that no item on the 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.

GOLF COURSE FEE WAIVER REQUEST / MUMA SCRAMBLE GOLF TOURNAMENT

Vickie Gabiola, representing the Paradise Valley New Building Fund, requested a waiver of the golf course closure fees for their annual Paradise Valley New Building Fund golf tournament

fund raiser to be held on Friday September 11, 2015. Gabiola stated they had a lot of interest in the tournament last year and she feels it will be bigger this year. Mayor Putnam noted that it is \$200 for one-half day closure of the course. Gabiola stated they did not close the course or ask for a fee waiver last year. All players will still pay the applicable greens fees. Councilman Brooks moved to approve the request to hold the Muma Scramble Golf Tournament on September 11, 2015 and waive the fee for the one-half day closure of the course for the event. Motion carried unanimously.

NEVADA LEAGUE OF CITIES 2015 LEGISLATIVE SESSION UPDATE

Wes Henderson, Nevada League of Cities Executive Director, reported the Nevada League of Cities and Municipalities (NLC) is authorized by statute to submit five Bill Draft Requests each Legislative session. Henderson explained the bills NLC submitted. AB19 revised the date of the annual local government tentative budget public hearing by eliminating the requirement to hold the budget hearing on the third Tuesday in May (for cities) and instead created a range of days for the hearing starting on the third Monday in May and ending the last day of May. The change will prevent many local governments from having to hold a special meeting for the annual budget hearing. AB25 clarifies that improvements to existing parks and park facilities are allowable uses of revenue derived from the Residential Construction Tax (RCT) and defines "improvements." The revenue must be expended within the park district from which it was collected and disallows use of RCT money for maintenance and operations of parks and park facilities. SB22 revised provisions governing licenses required for those involved in liquor sales or liquor production to require final approval of the governing body of a city instead of the county if the principal place of business is located in a city. The existing law (NRS 369.180) required that certain businesses obtain the approval of the county commission even if the business is wholly located within a city, which forced applicants to seek approval from both the city and county. SB 28 sought to clarify provisions governing the fees that may be charged for providing copies of public records; the bill would have added a definition of what constitutes an extraordinary use of personnel or technological resources to the current statute. The bill received opposition, mostly from the press, and failed to make it out of committee. SB51 would have established a state coordinating agency for the Main Street program of the National Main Street Center of the National Trust for Historic Preservation, which Nevada does not currently have. The Main Street program has been used successfully in producing investment money and creating jobs resulting in the rehabilitation of buildings. The bill would have established and funded a state coordinating agency for the program to be housed in the Executive branch. SB51 did not make it out of committee. Henderson reported on Federal Bill HR2775 which seeks to close the loophole on remote purchases, i.e., catalog or on-line purchases, where an individual is not charged sales tax. Henderson urged the City to send letters to their Congressional representatives asking them to support this bill. This is not a new tax; but rather collecting taxes that are owed. The National League of Cities Conference will be held in Nashville, Tennessee on November 4-7, 2015. Mayor Putnam and the Council thanked Henderson for this dedication to the work he does on their behalf.

HUMBOLDT DEVELOPMENT AUTHORITY / FISCAL YEAR 2015-2016 AGREEMENTS

Bill Sims, Business and Economic Development Specialist with the Humboldt Development Authority (HDA) and the Nevada Small Business Development Center (NSBDC), presented two agreements for approval relating to the HDA. The first agreement is between the HDA and the

Governor's Office. Sims explained it is a two year extension to the existing contract and allows HDA to obtain \$50,000 each year from the Governor's Office of Economic Development (GOED). Councilman Owens moved to authorize Mayor Putnam to sign the agreement. Motion carried unanimously.

The second agreement is between the University of Nevada, Reno, Humboldt County, the City of Winnemucca, and Humboldt Development Authority. Sims explained the HDA funds his position through the University of Nevada, Reno (UNR). The contract provides funding paid by HDA (the City and the County) for 60% of the costs of the office, and 40% of costs are paid by UNR. The City and County each contribute \$15,000 annually. Sims stated this year's budget includes funding for a second full time employee. In the past, the office hired full time assistants through AmeriCorps or Vista at \$8.00 per hour which, but the program eligibility expired after three years. Last year the HDA sponsored a half-time position. This year, the HDA Board determined to hire a full time assistant. Mayor Putnam asked if the second position is part of the contract, and will it change the amount the City contributes. Sims stated it is part of the contract, but it will not change the amount the City contributes. City Manager West noted that it will substantially change the amount HDA pays to UNR to fund this position; in FY 2014 the NSBDC contract for services was \$42,500; in FY 2015 it was \$74,000; and, it is projected to jump to \$109,000 in FY 2016. West expressed concern about the rapidly increasing amount being paid back to the state, which is mostly a result of adding an additional staff person. Sims stated this is something the HDA discussed and budgeted for. Putnam asked if this position will work for HDA or NSBDC. Sims stated they will be a UNR employee, but will provide services to the HDA. Putnam asked how HDA and NSBDC performed the past year. Sims said they had 39 inquiries the past year, which is a combined count for both HDA and NSBDC. West said the work load does not justify the proposed additional full time position, and questioned whether the HDA should contribute 60% of the funding for the joint office. Councilman Owens also expressed concern with only having 39 inquiries last year and questioned the need for another full time staff person. Owens believes the inquiry number should be increased before there is consideration for hiring another person. Sims said hiring another person will enable the office to go out and re-engage more with the community and to try and get the Winnemucca Futures project going again. Sims said the volunteers he relied on in the past, including board members, are too busy to contribute. The only way to get any work done or be effective is through the use of paid people. Putnam confirmed that if the City approved the agreement, the City contribution amount will not change. West reminded that the reason HDA has the money to add another position is because the City and County put the seed money into HDA so they will be financially secure down the road. Sims said HDA has continued to increase its ending fund balance year after year. Putnam said she understands the need to be out there connecting with people and businesses and suggested this contract is about whether the City agrees with the conditions for going forward. If the City has concerns, they should be shared with the HDA board. Sims said his and the Board's intention is to train the new person so that he/she may eventually take over Sims' position when he retires. West agreed that succession planning makes good sense, but felt the HDA needs to know the retirement date prior to making plans. Sims said his intention is to work through June 2016. West felt that the person currently hired for the assistant job may not be a good fit for Sims' job. Putnam said perhaps the Council should be more active with the HDA since economic development is the future of the City. Councilman Billingsley moved to approve the one year contract between the Humboldt Development Authority and the University of Nevada to provide professional services for the operation of the HDA/Small Business Development Center office in Winnemucca. Motion

carried with Councilmen Mavity, Tipton, Billingsley and Brooks voting aye, and Councilman Owens voting nay due to his opposition to adding the full time position.

NIXON HALL FIRE LOSS FUND PROPOSAL / IMPROVEMENT PROJECTS FUNDING

Ray Parks, Board Chairman for the Boys & Girls Club of Winnemucca (BGC), formally requested up to \$1M of the Nixon Hall insurance fund and read a letter outlining the intended use of the funds if the request is approved. Parks stated the BGC Board has worked with SH Architecture, CORE Construction, City Manager West, Mayor Putnam, the Humboldt County School District and members of the Northern Nevada Arts Council (NoNAC) to form a partnership between all entities to foster the overall enhancement of the arts in Humboldt County and Winnemucca. If the funding request is approved, BGC will be able to fully implement the multi-purpose black box theater upgrade which includes enhanced sound systems, acoustic upgrades, dressing and restroom construction, staging areas and performer entrance areas (that the Northern Nevada Arts Council recommended) into the new BGC building. In addition, a brand new state-of-the-art HVAC system, a possible stage refinish and possible carpet replacement in the Albert M. Lowry High School Auditorium is also planned. Parks reported that the Humboldt County School District (HCSD) has agreed to provide NoNAC full use of school facilities at no cost. Representatives of NoNAC stated they have not seen or signed an agreement for such use. Parks said there is a facilities use agreement between HCSD and NoNAC ready to be signed. Jean Kinney, representative of NoNAC, said the matter has not been thoroughly discussed yet by NoNAC. Parks said the contract is good for one year from signing with groups that wish to use Lowry High School, as long as they provide a \$1M liability insurance policy and agree to certain stipulations including payment of costs of any required janitorial clean up after events. Putnam asked Kinney if the use agreement is something they want or don't want to happen. Kinney answered it may or may not be. Councilman Mavity asked for clarification on whether the proposal is for a contractual agreement to use the Lowry High School facility based on the availability of dates needed for use by NoNAC or other groups at no charge. Parks stated yes. Putnam commented that the letter read by Parks is exactly what she wanted to see for use of the Nixon Hall funds; some of the money spent on things that benefit the arts, and not specific groups, but all arts in the community. Putnam said she doesn't want the money to sit in the account for another 23 years. There is not enough money to build a building, and in the past 23 years nothing has been developed for use of the funds. It is important to utilize the money for the benefit of the whole community. The Nixon Hall wasn't just an arts building, it was a recreational building and a community building. If existing facilities are enhanced, the arts as a whole and the community benefit. Putnam said if the City goes out and does a project like the BGC building on their own, by law, they will have to pay prevailing wages which increases the project costs by about 25-30%. By going through the BGC, there is the ability to use all of the requested \$1M funds for the various facilities and improvements that are needed. Leann Barta, NoNAC member, asked why the Lowry High School improvements were not being done using the school bonds. Parks stated there is only enough bond money remaining to perform the higher priority major projects such as roofs, retrofits (e.g., single point of entry) and other significant repairs. Kinney produced a copy of City-County Joint Resolution Number 2001-03 which affirms City and County support for Northern Nevada Arts Council, as owner and operator of the Winnemucca Community Cultural Arts Center, which was proposed to be constructed in Winnemucca. Putnam reminded that the resolution stated the Winnemucca Community Cultural Arts Center was proposed to be constructed upon County property in Winnemucca, and the project never

materialized. The 2001 resolution was drafted in order to boost support for a grant application with the Reynolds Foundation. The entities ultimately were unsuccessful in obtaining the grant funds for construction and there is no community cultural arts center to support. Putnam said even if the requested contribution is made, there will still be \$1M plus left in the Nixon funds available to support art functions. Kinney said they are looking for a home for NoNAC, and they have recently become aware of the possibility of a building that is available. It will need work, but they need time to see what the costs will be. Putnam said she wants to see progress being made for the whole community, not just for NoNAC, and the window of opportunity to do some of the things is closing. Kinney said she is asking for a postponement or continuation of the request so NoNAC can look into the building; this is the first time NoNAC has found something that looks really solid. Putnam said there isn't enough time, the proposal to use the money involves some things that must have funding immediately available for use. Putnam asked that NoNAC bring back a proposal for the building they have found. Councilman Mavity said the other \$1M is not going anywhere. Parks said the other monies committed to the BGC are tied to a November 2 construction start deadline; BGC cannot afford to delay the building. Chad Peters, Executive Director of the BGC, said this isn't an "us-versus-them" situation and BGC doesn't want it to be. The proposed BGC building will cost about \$6M. BGC is asking for the \$1M in order to add some of the things that NoNAC and other arts groups said they needed. The 500 sq foot upgrade to the multipurpose room includes a state of the art sound system, soundproofing, lights, storage, etc. and will cost approximately \$500,000. Peters said BGC wants it to be something that everyone can go to and use; the BGC knows it's not a theater. Mavity said that one of the biggest positives is the potential to grow the arts in this community. Engaging children and youth in art opportunities involves their parents and perpetuates lifelong interest. If the venues are open to accommodate people, things are going to happen. Right now there is an opportunity to improve on the existing facilities. Barta asked who will be in charge of the oversight of the \$1M. Putnam stated the City will be in charge, and BGC will have to provide information to and work with City staff on how the money is being spent. Kinney asked if NoNAC can be placed on a future agenda when there is a more concrete proposal for a building or improvements. Putnam said yes, and suggested in the meantime NoNAC begin looking for funding sources. Putnam suggested the City cannot be expected to build a performing arts center on its own; there needs to be some kind of input from NoNAC in order to make an arts facility happen. Councilman Owens moved to approve up to \$1M of the Nixon Hall fire loss fund for improvement projects to the recreation complex amphitheater project, the high school auditorium HVAC project, and the Boys & Girls Club building multi-purpose room upgrade project as explained. Motion carried unanimously.

EASEMENT AGREEMENT / WASTEWATER TREATMENT PLANT PROPERTY

Mayor Putnam said the draft agreement in the meeting packet commits the City to provide 50 feet in width cattle drive easements along agreed upon boundaries of the two sections of BLM land the City hopes to acquire for the wastewater treatment plant, which will allow TQuartercircle Ranches to continue using the property as they have for many years. Councilman Tipton recused himself from discussion and action on the agenda item as he is the brother of Frosty Tipton, a principal of TQuartercircle Ranches. City Manager West said staff recommends approval of the agreement as drafted by City Attorney Maher which will allow TQuartercircle Ranches to move cows from the ranch property to their grazing allotments. Councilman Mavity moved to approve the proposed agreement with TQuartercircle Ranches, Inc. to commit the City to provide 50 feet in width cattle drive easements along agreed upon

boundaries at such time as the City receives the patent for the BLM property. Motion carried unanimously with Councilman Tipton abstaining.

WEST SIXTH STREET DIAGONAL PARKING RESOLUTION

Mayor Putnam presented a request from Randy Peraldo requesting diagonal parking along the West Sixth Street side of the Peraldo family 3R Building which will add two parking spaces on the Sixth Street side of the property. Councilman Billingsley moved to approve the request for diagonal parking spaces along the West Sixth Street side of the 3R Building. Motion carried unanimously.

STAFF-COUNCIL REPORTS

City Manager West reported the grand opening for the new animal control shelter has been tentatively set for 1:00 p.m. September 9. The FAA grant offer for the design of the wind cone and taxiway projects has been received. The \$80,000 project requires a City match of \$5,000 and will be on the next agenda for confirmation. The Public Works Department has located a 2008 used dump truck with only 1,600 miles for \$39,000. A used dump truck was budgeted for \$38,000 and it is the intention of staff to move forward with obtaining the required two estimates and hopefully purchasing the truck.

Councilman Owens attended an Airport Board meeting and reported on the Google presentation.

Councilman Mavity attended the NoNAC meeting earlier this month along with Mayor Putnam, City Manager West, and Ray Parks. Mavity reminded of the ribbon cutting scheduled for the "Single Point of Entry" at Lowry High School on September 26.

Councilman Tipton attended a Sonoma Conservation District Meeting.

Councilman Billingsley will attend the WCVA meeting tomorrow.

Councilman Brooks stated HGH is having a barbeque tomorrow at their construction site and the Council is invited.

Chad Peters, Executive Director of the Boys and Girls Club of Winnemucca, reported that the summer swim lessons have been completed and he has had positive feedback. Softball went well and Peters reports the players want Fall and Spring softball leagues which will be possible once the youth soccer is moved to the Recreation Complex. The Boys and Girls Club golf tournament / dinner dance fundraiser will be held on Saturday, August 29 and tickets are now on sale.

Mayor Putnam reported the Humboldt County Commission agreed to oppose a pending application for an inter-basin transfer of water rights from Humboldt County to the Fernley area, and suggested that the City may want to follow suit with a formal protest of the water rights transfer proposal. Raley's Supermarket will be closing on August 31 and Ridleys will be opening on September 1, and they are hoping for a seamless transition for the community.

PUBLIC-PERSONAL COMMUNICATION-CORRESPONDENCE:

There were no public or personal communications or correspondence.

The meeting was adjourned at 4:00 p.m.

Respectfully submitted,

Lorrie Haaglund
City Clerk

PASSED AND ADOPTED: September 8, 2015

VOTE OF COUNCIL:

AYES:	Councilmen	<u>Owens, Mavity, Tipton, Billingsley, Brooks</u>
NAYS:	Councilmen	_____
NOT VOTING:	Councilman	_____
ABSENT:	Councilman	_____

APPROVED:

ATTEST:

Di An Putnam
Mayor

Lorrie Haaglund
City Clerk