

**CITY COUNCIL MINUTES  
REGULAR MEETING  
APRIL 23, 2019**

The Winnemucca City Council met in regular session on Tuesday April 23, 2019 at 2:00 p.m. in the City Hall meeting room. Present: Mayor Richard Stone; Council members Mike Owens, Theresa Mavity, Vince Mendiola, Jim Billingsley and Paige Brooks; and, City Attorney Kent Maher, City Manager/Engineer Alicia Heiser and City Clerk Lorrie Haaglund.

**CALL TO ORDER:**

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

**PUBLIC COMMENT - PERSONAL COMMUNICATION - CORRESPONDENCE:**

There was no public comment, personal communication or correspondence.

**MINUTES:**

The April 2, 2019 special City Council meeting minutes were reviewed and Council member Mavity moved for approval as submitted. Motion carried unanimously.

The April 9, 2019 regular City Council meeting minutes were reviewed and Council member Mendiola moved for approval as submitted. Motion carried unanimously.

**WARRANTS-EXPENSES:**

The payments for warrants and expense reports were reviewed and Council member Owens moved for approval as submitted. Motion carried unanimously.

**PROCLAMATION-AWARDS:**

Mayor Stone issued and signed the proclamation for Arbor Day to be held on April 25, 2019.

**BUSINESS ITEMS:**

**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 and Council member 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.

**STREET CLOSURE REQUEST / WINNEMUCCA CRUISE NIGHTS EVENTS**

Mayor Stone presented on behalf of Winnemucca Cruise Nights a request for temporary street closure of Bridge Street from Second Street to Fourth Street from 6:00 p.m. to 9:30 p.m. on Thursday May 23, 2019, Thursday June 13, 2019, Thursday July 19, 2019, Thursday August 15, 2019 and Thursday September 12, 2019 for the sixth annual series of Cruise Nights. Council member Brooks moved to approve the temporary street closures as requested for the Winnemucca Cruise Nights. Motion carried unanimously.

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### **STREET-TRAFFIC CONE USE REQUEST / RUN, RIDE, WALK FOR THE CURE EVENT**

Brenda Sifuentes, representing the Larena Bengoa Run, Ride or Walk for the Cure event, requested use of the City streets and traffic control cones for the event on May 11, 2019 which celebrates its 17th year. Sifuentes has notified the police department about the date and time of the event. Councilman Brooks moved to approve the use of City streets and traffic control cones for the Larena Bengoa Run, Ride or Walk for the Cure Event on May 11, 2019. Motion carried unanimously.

### **GOLF COURSE FEE WAIVER REQUEST / ROTARY CLUB GOLF TOURNAMENT**

Gene Hunt, Rotary Club representative, requested a waiver of the golf course fees for the annual Rotary Club Golf Tournament to be held May 4-5, 2019. Funds are used to support Rotary Club programs. Council member Billingsley moved to approve the waiver of the golf course fees for the Rotary Club Tournament on May 4-5, 2019. Motion carried unanimously.

### **CONTRIBUTION REQUEST / HUMBOLDT COUNTY SHOOTING PARK**

Kent Arrien, representing the Humboldt County Shooting Park, requested a \$1,500 donation for the maintenance and upkeep of the shooting facility. Arrien said that there are approximately 1,400 people using the educational building each year. A grant was submitted to obtain funds to enclose the front of the educational building to keep the starlings away. Council member Brooks moved to approve the \$1,500 City contribution to the Humboldt County Shooting Park. Motion carried unanimously.

### **SWIM POOL USE REQUEST / HIGLEY**

Spring Higley, Bode Howard Pool manager, requested to use the Bode Howard Memorial Pool for a Fitter and Faster two-day swim camp from 9:00 a.m. to 5:00 p.m. on July 13-14, 2019. Higley currently has swim team commitments from Elko and Ely; Fallon and Lovelock have been contacted. The swim clinic pays the pool rental fee. The pool will be shut down to public swimming during this time. Higley commented the pool can accommodate 150 kids at a time. The cost of the camp is \$100 for one day and \$300 for the entire weekend. Swim team coaches can request individualized assistance. The camp abides by USA swim. Council member Owens thanked Higley for her continued efforts at the pool and moved to approve the request to use the Bode Howard Memorial Pool for a two-day swim camp on July 13-14, 2019 from 9:00 a.m. to 5:00 p.m. Motion carried unanimously.

### **PERMIT FEES WAIVER REQUEST / SENIOR CENTER**

Patricia Tindall, Pleasant Senior Center Director, presented an overview of the planned Phase III construction of the Senior Center which will include a 24 x 60 multipurpose room, computer learning lab, new ADA compliant front doors, vestibule and welcome area, and renovation of the old bathrooms, old conference room, old administration area and the crafters work area. Construction costs total \$1,131,659. Tindall said through fundraising they have raised about one-third of the money needed and their fundraising activities continue. Donors include the William N. Pennington Foundation, SW Gas, NV Energy, private donors, local businesses and veterans' groups. Tindall requested the City waive the fees associated with the plan review, the building permit, water connection and sewer connection fees for Phase III of the Senior Center. Council member Mavity moved to approve the waiver of the fees for the building permit, water

connection and sewer connection for Phase III of the Senior Center renovation. Motion carried unanimously.

### **USED FIRE TRUCK PURCHASE REQUEST / VOLUNTEER FIRE DEPARTMENT**

Winnemucca Volunteer Fire Department Fire Chief Joe Dendary reported the department found a structure fire truck offered for sale by the City of Las Vegas. Mechanically, the truck is in better shape than the Elko truck the department was considering for purchase; cosmetically, the seats are torn up and there is a broken window. If Council agrees to the purchase, the truck will be delivered to D & M Emergency Services in Yerington where it will be inspected. D & M will provide a quote to remove all the decals. Dendary said the cost for the inspection will be roughly \$1,000 and probably another \$3,000-\$4,000 to remove the decals. The tires are in good shape. Council member Billingsley moved to approve the purchase of the used structure fire truck from the City of Las Vegas for \$6,250 and authorize City Manager Heiser to sign the agreement. Motion carried unanimously.

### **PRESENTATION REGARDING MARIJUANA ESTABLISHMENTS IN THE CITY**

Rendal Miller and Shane Terry requested that the prohibition of medical and recreational marijuana establishments within the City limits be lifted and asked for preliminary approval for them to start securing the location for a cultivation/dispensary, after the location is secured and approved by the City. Miller also requested the City begin a procedure to change the ordinance for marijuana cultivation. Miller wants to also move forward for a dispensary to be located with a cultivation facility and would like the ordinance to stipulate that any dispensary located in Winnemucca must be located with a cultivation facility. Miller has two licenses for cultivation; one for medical and one for recreational cultivation. Miller does not have a dispensary license. Miller is hoping to collaborate with Shane Terry who operates Tap Root, a marijuana business, and who has a dispensary license. Mayor Stone commented the City has a long way to go before considering regulation of marijuana establishments in the City. No action was taken.

### **MARIJUANA REGULATIONS**

Mayor Stone commented that this will be a hard decision for the Council to make because it is very controversial. Federally, marijuana is still against the law but it is legal in Nevada. Humboldt County has a prohibition on marijuana and the City has a zoning ordinance prohibiting medical marijuana; however, the ordinance does not address recreational marijuana. In the 2016 State of Nevada annual election 54% of voters approved recreational marijuana and in Humboldt County 49% voted for approval. If there is a dispensary, private growing within 25 miles of the dispensary is prohibited without a medical marijuana card that approves private grow. Stone said the City needs to consider zoning, land use, and security. Cultivation pays 15% excise tax to the State, but none comes back to the City. A dispensary's excise tax is 10% and the City can levy up to a 3% tax in addition which would come directly to the City. The regular sales tax is also applied. A cultivation facility would add jobs and another industry to the City. The City of Fernley projects their revenue to be \$100,000 to \$150,000 per year from the dispensary located there. Police Chief Dalley said he understands the local Indian Colony has been approached about placing a dispensary on Colony land. Stone said if the Colony has a dispensary, the City will receive no revenue. Council member Brooks said a committee should be created to examine the pros and cons and bring it back to Council with a recommendation. Council member Billingsley remarked we are not ready today to decide anything, but the City needs to be proactive, not reactive. Council member Mendiola questioned if Winnemucca is ready for marijuana in the City. Mendiola is personally seeing some of the medical benefits of

marijuana and it does help. Council member Mavity said there is a wealth of reading on Nevada and how they think the first year of legalized marijuana use has gone. The challenge is that there is not a lot of data available. Mayor Stone commented that there are a lot of regulations in the NRS concerning marijuana. Stone said there are local objectives we need to address if we go down this road. Council member Billingsley moved to table this agenda item and put a committee together to do more research. Motion carried unanimously.

### **WATER-SEWER WILL SERVE REQUEST / GROCERY OUTLET**

City Manager Heiser presented a request from Summit Engineering, as representative of Winnemucca Grocery Outlet, for a water sewer will-serve commitment at 880 Hanson Street, APN 16-0251-37. Heiser commented the anticipated water use is 17,000 gallons per month. The City has plenty of capacity for both water and sewer at this location. Council member Billingsley moved to approve the water-sewer will-serve request for the proposed Grocery Outlet facility at 880 Hanson Street. Motion carried unanimously.

### **SMOKE FREE FACILITY DESIGNATION REQUEST / CITY RECREATIONAL FACILITIES**

City Manager Heiser said Public Works Supervisor Sutton requested that the City ball fields (Sports Complex, baseball and softball fields, and the soccer fields) be made smoke-free facilities. The Public Works staff devotes a considerable amount of time to picking up cigarette butts at these facilities. If approved, Sutton will place cigarette receptacles outside the fence where people could go to smoke. Council member Owens moved to move forward to designate the City sports complex, baseball fields, softball fields, soccer fields and park playground areas as smoke-free with smoking only in designated areas allowed. Motion carried unanimously.

### **BODE HOWARD MEMORIAL POOL**

City Manager Heiser reported she had met with Rick Norcutt to discuss the daily operations of the pool. There are no major updates currently.

### **STAFF-COUNCIL REPORTS**

City Manager Heiser reported: (i) McGinley and Associates should send the Plan of Development (POD) for review to the City this week and, once approved, it will be sent to the BLM; (ii) the paperwork required to change the location of the point of diversion for Well #8 has been submitted to the Nevada Division of Water Resources; (iii) there is no update on the Airport property acquisition project; (iv) the survey work and geotechnical testing are complete for the Airport heavy aircraft apron project, advertising for bids will be on May 24, 2019, bid opening will be on June 14, 2019 and construction will begin after July 1, 2019; (v) there is no word on discretionary funding for the Airport; (vi) the installation of the playground equipment is expected to be the week of May 6, 2019; (vii) Hunewill has not started the Alley sewer upgrade project and the Second Street storm drain project, but both projects will be completed by July 1, 2019; and, (viii) construction is in progress to install an emergency pipeline from the IPS to Pond 5 of the old sewer treatment plant which will be used if the new plant is temporarily shut down for maintenance or repairs.

Council member Owens attended and reported on the Leon Franklin Field dedication at the Airport and the RTC meeting.

Council member Mavity is working on an Arbor Day celebration for the City which will be held later this spring or summer in conjunction with the Community Garden.

Council member Mendiola reported on the HDA meeting.

Council member Billingsley reported on the WCVA meeting. The world horseshoe tournament will be held in Winnemucca in 2020.

Council member Brooks attended the Landfill Committee meeting.

Mayor Stone attended the Color The Mucc event and the WDVS Party in the Park on April 13, 2019. Stone also attended the open house at the Winnemucca Boys and Girls Club and the dedication of the Franklin Field at the Airport.

**PUBLIC COMMENT:**

There were no comments from the public.

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

Respectfully submitted,

Lorrie Haaglund  
City Clerk

**PASSED AND ADOPTED:** May 7, 2019

**VOTE OF COUNCIL:**

**AYES:** Owens, Mavity, Mendiola, Billingsley, Brooks  
**NAYS:** \_\_\_\_\_  
**ABSTAIN:** \_\_\_\_\_  
**ABSENT:** \_\_\_\_\_

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Richard Stone  
Mayor

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Lorrie Haaglund  
City Clerk