

**CITY COUNCIL MINUTES
REGULAR MEETING
OCTOBER 8, 2019**

The Winnemucca City Council met in regular session on Tuesday October 8, 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 Manager/Engineer Alicia Heiser, City Attorney Kent Maher 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:

Joseph Dice, Winnemucca Indian Colony representative, expressed his disapproval with the way he believes the City is handling the Colony's proposed marijuana establishment. Dice commented the Colony submitted an agreement the tribe felt would benefit both governments with shared revenue and the City did not respond. City Attorney Maher explained that no agreement is necessary for some of the items, such as water and sewer services which are available to the Colony the same as any other potential user. Other items in the proposal pertaining to limiting the number of dispensaries with the Colony being the only authorized dispensary are matters that the City is not interested in considering. Maher reminded that Dice and other Colony representatives were advised in a public meeting at which they were all present that the City was not interested into entering into an exclusive or non-competition type agreement.

MINUTES:

The September 17, 2019 regular City Council minutes were reviewed and Council member Mavity 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 with Council member Billingsley abstaining from voting on Jim Dandy Productions warrants as he is the owner of the business.

PROCLAMATIONS-AWARDS-PRESENTATIONS:

Mayor Stone presented a proclamation declaring October 2019 as Domestic Violence Awareness Month to Tiffany Stickney

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 Mavity 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 / TRUNK OR TREAT EVENT / COUNTY LIBRARY

Jessica Anderson, Humboldt County Library Director, requested to close Baud Street from the Humboldt County Library driveway to Fifth Street on October 23, 2019 from 5 p.m. to 8 p.m. for a Trunk or Treat event. The Koyote Cruisers will be helping with the event. Council member Mendiola moved to approve the request to close Baud Street from the Library driveway to Fifth Street on October 23, 2019 from 5 p.m. to 8 p.m. for a Trunk or Treat event. Motion carried unanimously.

GRANT SOLICITATION REQUEST / HISTORIC RESOURCES COMMISSION

Dana Toth, Winnemucca Historic Resources Commission (HRC) member, commented that Winnemucca is now one of six Certified Local Governments (CLG) in the state, which allows the HRC to apply for pass-down grants through the State Historic Preservation Office (SHPO). Toth said there is an \$80,000 grant available in the next cycle which closes October 31, 2019. The grants require 60% of the budget be paid for with grant funds and 40% be paid by the grant recipient, which can be in the form of in-kind services or payment by the grant recipient or a third party. SHPO has three funding priorities this year: 1) nominate more properties to a national registry which enables the local historic resources commissions to qualify for more grants for individual properties; 2) create a preservation plan or survey plan; and, 3) create educational material or provide public education or provide education for commissions. SHPO recommended HRC seek funding for a Commission Assistance and Mentoring Program (CAMP) which is training offered by the National Alliance of Preservation Commissions (NAPC). Toth commented there are different CAMP training packages with differing price levels. For example, there is a program which will send three trainers to Winnemucca for training up to 30 individuals from the community for \$7,000. With a 60/40 split, the cost to the grant recipient will be \$2,800 out of pocket. City Manager Heiser commented that the City budget has enough available funds to allow participation in a contribution of that amount. Toth said since this is history related, the museum could contribute towards the match. Mayor Stone commented this is a good thing especially if the costs are shared. Council member Owens moved to authorize submission of the grant application with the directive to come back to the City if funding is granted and matching funds are needed. Motion carried unanimously.

LEASE TERM EXTENSION REQUEST / BLM

City Manager Heiser explained the BLM has three separate leases with the City for property at the Airport and has expressed interest in combining the three leases and possibly expanding their footprint by acquiring more property. The lease of Lease Tract 2-A which includes a hangar and two acres expired on September 30, 2019 and BLM requests the City enter into an amendment for that lease to extend the termination date to June 7, 2021 to allow time to consider lease consolidation and property expansion. Council member Owens moved to approve an extension of the agreement for Lease Tract 2-A to June 7, 2021. Motion carried unanimously.

EASEMENT ABANDONMENT / APN 16-0361-22 / EAST HORIZON HOLDINGS, LLC

City Attorney Maher explained an easement was created across East Horizon Holdings land to allow access to a proposed well site. The well did not work out and neither the well site nor easement will be needed. Since the easement was created with a parcel map, the state law abandonment procedure must be followed to eliminate the easement. Council member Mavity

moved to authorize staff to start the procedure for the abandonment of the public utility and access easement extending from Rimrock Road located on the northerly boundary of APN 16-0361-22. Motion carried unanimously.

TEMPORARY CONSTRUCTION EASEMENT GRANT / EAST HORIZON HOLDINGS, LLC

City Attorney Maher explained an easement is needed to provide temporary access to the location of the new test well site for Well No. 8. Maher commented that a legal description is being prepared and formal approval for the easement is sought now to allow a deed to be prepared and signed as soon as the legal description is obtained which should speed the well testing process. Council member Owens moved to authorize the acquisition of a temporary construction easement as proposed and to authorize the Mayor to sign the acceptance on behalf of the City. Motion carried unanimously.

POSITION-SALARY RANGE UPDATE / ASSISTANT PUBLIC WORKS SUPERVISOR

City Manager Heiser said an Assistant Public Works Supervisor position has been added to the salary and position range table as part of a succession plan for the Public Works Supervisor position. There are three qualified internal applicants for the position who will interview tomorrow with Council member Mendiola, Public Works Supervisor Sutton and City Manager Heiser. The position is temporary and will not be necessary after Sutton retires in early 2020. Council member Owens moved to approve the updated salary and position range schedule to include an Assistant Public Works Supervisor position as presented. Motion carried unanimously.

PERS CRITICAL NEED DESIGNATION / POLICE OFFICER

City Manager Heiser explained that the Police Department has had two vacancies in the patrol unit for most of the past two years. There is one conditional offer out for a police officer position. At least one vacancy has existed for several years. Once a police officer position is filled, it usually takes 34 weeks before the officers are on patrol. Heiser said even before a conditional offer is made the candidate must pass the background check, psychological test and physical fitness test. To establish a critical needs designation for purposes of allowing a current PERS recipient to be employed in a PERS eligible position, the Council must consider the following criteria: 1) history of the rate of turnover for the position--since September 2017, 13 officers have left the agency; 2) the number of openings for the position and the number of qualified candidates for those openings after all other efforts of recruitment have been exhausted--Captain Dalley reported the department has accepted 44 applications, 25 of which made it to the background check phase, seven were eligible for hire and only five made in through POST and FTO; 3) length of time the position has been vacant--Heiser reported it has been vacant for two years; 4) the difficulty in filling the position due to special circumstances, including special education or experience required for the position (addressed in the City Manager opening comments); 5) the history and success of the efforts to recruit for the position, including advertising, out-of-state recruitment and all other efforts made--the department continually advertises in the newspaper, on their Facebook account and online through the Nevada Sheriff and Chiefs Association. For the two currently open vacancies, one candidate is currently in background review. Tom Merschel, a retired law enforcement officer currently working temporarily as a school resource officer (SRO) for the department, is interested in working full time, but will require the critical needs designation to continue to receive PERS benefits and work full time. Council member Mendiola moved to adopt the findings presented by City staff,

determine that a critical need exists for the City police officer position and allow City police officer vacancies to be filled with PERS recipients. Motion carried unanimously.

BODE HOWARD MEMORIAL POOL

City Manager Heiser reported the request for proposals (RFP) to solicit professional consulting services is complete and will submit it to City Attorney Maher for review. Heiser has been approached by a group calling themselves the Friends of the Pool about the City creating a donation account for the pool. City Attorney Maher says the idea was discussed with the City auditors and they do not recommend the City create or have such an account and hold onto funds long term. Maher said the organization needs to establish their own tax exempt status and handle the donated money themselves.

STAFF-COUNCIL REPORTS:

City Manager Heiser reported: (i) the BLM scheduled the Railroad Spring project Interdisciplinary Design Team meeting for October 16, 2019; (ii) the NDEP permit applications have been resubmitted for approval and once approved, the City will give Hydro notice to proceed; (iii) there are no updates on the Airport property acquisition project; (iv) there have been some delays on the Airport heavy aircraft apron expansion and reconstruction project due to failed test strips and weather, and the projected completion date is now October 25, 2019; (v) Hunewill Construction should be starting on the Second Street storm drain project and the Alleys sewer project soon; (vi) the Potato Road-Fountain Way-Railroad Street mill and overlay project should be completed today; (vii) the Kluncy Canyon chip seal project will be done as a spring or summer project; and, (viii) the City must wait to see how much RTC funds remain after completing the other road projects in order to proceed with the curb and gutter project.

Council member Owens attended the swearing-in ceremony for Officer Rangel. Owens attended and reported on the NLC Conference, the Labor Commission lunch, and the Humboldt County Commission meeting.

Council member Mendiola reported on the Paradise Sonoma Conservation District meeting and the Humboldt Foundation.

Council member Billingsley reported on the WCVA meeting.

Council member Brooks reported that the NNRC had a membership drive and the Main Street Project group will be meeting at the Museum on October 16, 2019 at 5:30.

City Attorney Maher reported on the Pershing County Water Conservation District-State Engineer writ petition hearing dealing with Humboldt River Basin water rights scheduled for October 20, 2019 to determine the status of intervenors. Maher suggested this be placed on an agenda to decide if the City is interested in intervening in the action.

Chad Peters, Executive Director of the Winnemucca Boys and Girls Club, reported that they have hired a pool manager.

Mayor Stone attended the Labor Commission lunch and the Nevada Gold Mine quarterly breakfast.

PUBLIC COMMENT:

There was no public comment.

The meeting was adjourned at 3:40 p.m.

Respectfully submitted,

Lorrie Haaglund
City Clerk

PASSED AND ADOPTED: October 22, 2019

VOTE OF COUNCIL:

AYES: Owens, Mendiola, Billingsley
NAYS: _____
ABSTAIN: _____
ABSENT: Mavity, Brooks

APPROVED:

ATTEST:

Richard Stone
Mayor

Lorrie Haaglund
City Clerk