

**CITY COUNCIL MINUTES  
REGULAR MEETING  
MAY 24, 2022**

The Winnemucca City Council met in regular session on Tuesday, May 24, 2022, at 2:00 p.m. in the City Hall meeting room; the meeting was accessible in-person and via teleconference and videoconference. Present (in the meeting room): Mayor Richard Stone; Council members Theresa Mavity, Vince Mendiola, and Jim Billingsley; City Manager Alicia Heiser; City Attorney Kent Maher; Administrative Assistant Brandy Grimm; City Clerk Ruth Fitzpatrick; Police Chief Dave Garrison; Guests Julia Maestrejuan (Humboldt Sun), Betty Lawrence (Humboldt County Planning Department), Melissa Murphy (Show and Shine), Joel Murphy (Show and Shine), Walter Robinson (Cruise in), Ken Jacaway (Cruise in), Shahid Azmat (Southwest Gas), Ron Tabat (Southwest Gas), Dana Toth (Historic Resource Commission), Hannah Toth, Kisa Murrin, Sharon Smith, Wayne Smith, Pam Hummer, Rob Johnson and Sunny Johnson; and, Museum Board members Cecil Martin, John Arant, Skip Hammargren, Judy Adams, Tom Hoss, Joyce Lacaillade, and Karen Rogers. Present (via teleconference): Council member Mike Owens; and, Abel Del Real-Nava (Humboldt County). Absent: Council member Pam Coats.

**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:**

After review, Council member Mendiola moved to approve the May 10, 2022 City Council regular meeting minutes as submitted. Motion carried with Council members Owens, Mavity and Mendiola voting aye and Council member Billingsley abstaining since he was not at the meeting.

**WARRANTS-EXPENSES:**

The reports for payments of warrants and expenses were reviewed and Council member Mavity moved for approval as submitted. Motion carried unanimously.

**PROCLAMATIONS-AWARDS-PRESENTATIONS:**

There were no proclamations, awards or presentations.

**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 Mendiola 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.

**VARIANCE REQUEST - FENCE HEIGHT - E. WINNEMUCCA BLVD.**

Southwest Gas representatives explained the company plan for a security wall at their 5570 E. Winnemucca Blvd. location and the reasons for the requested variance. Betty Lawrence,

Humboldt County Planning Department, said no comments or concerns were received regarding the requested variance.

Council member Mavity moved, based on staff findings and recommendation, to approve the Southwest Gas Company request for a variance to increase the allowed fence height from 3' and 6' to 8' at 5570 E Winnemucca Blvd., APN 16-0368-11. Motion carried unanimously.

#### **VARIANCE REQUEST - FENCE HEIGHT--SIDE YARD SETBACK - ZIMMERMAN**

Betty Lawrence, Humboldt County Planning Department, explained that property owner Kim Zimmerman made the request to allow construction of deck. No comments were received by Planning regarding the requested variance. City Manager Heiser said a call was received from a neighbor and after review of the actual plan for the fence, the neighbor concerns were satisfied.

Council member Mendiola moved, based on staff findings and recommendation, to approve the request for a variance to: increase the allowed fence height within the front yard setback from 3' to 6'; and, reduce the allowed side yard setback from 5' to 0' at 471 Parkview Ave., APN 16-0091-16. Motion carried unanimously.

#### **STREET CLOSURE REQUEST - KOYOTE KRUISERS**

Joel Murphy, Koyote Kruisers car club representative, stated that due to the Covid-related shutdowns the last couple years there have not been any Thursday night Show & Shine events. The Koyote Kruisers would like to re-start the Thursday night events for the community.

Council member Mavity moved to approve the request to close Bridge Street, between Second Street and Fourth Street, for recurring Thursday Show & Shine events on: June 16, 2022; July 21, 2022; August 18, 2022; and, September 08, 2022. Motion carried unanimously.

#### **WINNEMUCCA MAIN STREET PROGRAM**

The Main Street group requested to be removed from the agenda.

No action was taken.

#### **PUBLIC HEARING - FY 2022-2023 TENTATIVE BUDGET—FINAL BUDGET**

City Manager Heiser reported on and explained that since the proposed fiscal year 2022-2023 tentative budget was discussed and submitted there were changes to the health insurance premiums, city-county cost share agreement costs, fire department services, public buildings site improvements, parks department site improvements, and water department operating expenses.

Council member Billingsley moved to approve the amendments to the tentative budget as explained and to authorize submission of the amended budget as the fiscal year 2022-2023 final budget. Motion carried unanimously.

#### **HISTORIC RESOURCES COMMISSION – MEMBER RE-APPOINTMENTS**

Mayor Stone said the current members of the Historic Resource Commission whose terms are expiring at the end of June this year have all volunteered to continue for another term and have been re-appointed for another term. Stone requested Council confirmation of the re-appointments.

Council member Mendiola moved to approve the request to confirm the mayor re-appointment of board members Jessica Huber, Charles Engstrom and Kona Jensen to the Historic Resource Commission for two-year terms beginning July 1, 2022 and expiring June 30, 2024. Motion carried unanimously.

### **HISTORIC RESOURCES COMMISSION – HISTORIC PRESERVATION SUBGRANT**

Dana Toth with the Historic Resource Commission advised there is a historic preservation fund subgrant available for travel to the National Alliance of Preservation Commissions (NAPC) Forum event July 13-17, 2022 in Cincinnati, Ohio. The historic preservation fund grants typically require a 40% match by the local government. Toth noted the grant has over funded in the past due to shortages in applicants. Toth requested permission to submit the grant application for a total \$10,618.80. If the grant is approved, the city match will be \$3,736.80 to send four members to attend the NAPC event. No one from Winnemucca has ever attended the event.

Council member Mavity moved to approve the request for authorization to submit a subgrant application for funds to send members of the Historic Resources Commission to the National Alliance of Preservation Commissions Forum event July 13-17, 2022 in Cincinnati, Ohio. Motion carried unanimously.

### **PROPERTY APPRAISAL REQUEST – CITY PROPERTY – MUSEUM LANE**

Mayor Stone remarked that the city invested about \$250,000 to acquire a portion of the city-owned property next to the museum from Schade Construction.

Council member Mavity asked if an appraisal is necessary to gift the land to a non-profit. City Attorney Maher confirmed that state law allows a local government to gift land to certain types of organizations without an appraisal, and that conditions can be placed on the allowed uses of the gifted property. If the conditions are not complied with, the property can revert back to the grantor.

Dana Toth, Humboldt Museum representative, said 598 signatures were obtained from community members in favor of the city-owned property going to the museum to allow the museum to undertake a proposed expansion.

Mayor Stone remarked that if the city intends to sell the land an appraisal will be needed, but if the intent is to gift the land, an appraisal will be an unnecessary expense. Mavity stated she is in favor of the land going to the museum and not in favor of the appraisal. Mavity believes giving the land is an investment in the community. Council member Mendiola would like to see the museum expansion happen sooner rather than later so the property does not continue to sit vacant. Council members Billingsley and Owens echoed Mendiola's concern and would like the museum project to start in a reasonable timeframe.

Council member Mendiola moved to not approve the request for authorization to solicit the professional services of an appraiser to provide an appraisal of a 5.74-acre parcel of city-owned property located adjacent to Museum Lane and Jungo Road, APN 15-0101-36. Motion carried unanimously.

### **AIRPORT - BLM LEASE PROPOSAL**

City Manager Heiser met with local BLM representatives Joe Miller and Jeremy Seng to discuss the proposed BLM SEAT Base lease and project. The Winnemucca Airport is reported to be the number one property site selected for the project by the BLM. Heiser expressed her concerns to

the BLM regarding the extra work required by the city to manage the project. The BLM indicated that the city could recoup the costs by adding the project management fees into the terms of the lease-project management agreement. Heiser also expressed concerns about the potential for environmental liability and possible issues with quality control during the project.

Wayne Smith with the Airport board advised the board is in favor of the BLM expansion.

Council member Mavity moved to approve: (i) combining the two existing BLM leases into a single lease and update the terms and conditions for the leasing of Lease Tract 2A and Lease Tract 2B at the Airport for a 5-year lease term with 5-year conditional renewal terms; and, (ii) the city undertaking the management of the BLM SEAT Base expansion project upon establishing the terms and conditions for the city management. Motion carried unanimously.

### **AIRPORT - HEAVY RAMP RECONSTRUCTION PROJECT FEE ESTIMATE**

City Manager Heiser explained that an independent estimate of the engineering services fee for a construction project is required by the FAA. The cost incurred for obtaining the independent fee estimate is reimbursable through the FAA grant.

Council member Mendiola moved to approve the request to contract with Rood and Associates to prepare an independent fee estimate for the Airport heavy ramp reconstruction engineering design services in the sum of \$3,000. Motion carried unanimously.

### **HIRING POLICY AMENDMENT PROPOSAL**

City Manager Heiser said in 1992 the city adopted and in 2012 updated a hiring policy that provided in part that no relative of the principal officials of the city, that is, the Mayor, City Council, City Manager, City Clerk, City Attorney, City Prosecutor or Municipal Judge can be employed in any city position. Over the last couple years, the city has had difficulty filling seasonal and part-time positions in the recreation, parks, streets and the cemetery departments. It is known that there are relatives of city officials who are qualified and willing to work in such positions (such as certified lifeguards). The proposed revisions to the city policy will allow the mayor to suspend the hiring prohibition for relatives of city officials to be employed in seasonal and part-time positions if there is a lack of, scarcity or shortage of applicants for such positions after attempts fill the positions have been made without success and the unsuccessful attempts to hire have been verified by the mayor.

Council member Mavity moved to amend the city employee hiring policy as set out in the proposed resolution to allow the mayor to suspend the hiring prohibition for relatives of city officials to be employed in seasonal and part-time positions if there is a lack of, scarcity or shortage of applicants for such positions after attempts fill the positions have been made without success and the unsuccessful attempts to hire have been verified by the mayor. Motion carried unanimously.

### **FISCAL YEAR 2022-2023 POSITION AND SALARY RANGE TABLE**

City Manager Heiser stated that a 4.5% cost of living increase was negotiated with both city and police department employee associations which is higher than previous years. The position and salary range table is typically adjusted for all positions to reflect the negotiated cost of living increase. Other proposed changes to the table include: removal of the police department administrative assistant III position as the current employee is retiring soon; increasing the top of the salary range for administrative assistant II after removal of the administrative support III position; increasing the animal control officer salary range due to the added duties and

responsibilities; and, adding \$5,000 payments for two fire department training officers due to their improvements to the training program. Previously, one training officer was paid \$6,000.

Council member Mendiola moved to approve the Fiscal Year 2022-2023 position and salary range table with changes as submitted. Motion carried unanimously.

### **MERIT INCREASE PROPOSAL**

City Manager Heiser stated that through the employee negotiations a 4.5% cost of living (COLA) increase and a 2.5% merit increase were agreed upon. Historically the negotiated raises are applied to both classified and unclassified employees.

Council member Mavity moved to approve the 2.5% merit increase for all unclassified employee positions. Motion carried unanimously.

### **CITY COUNCIL MEETINGS**

Council member Mavity moved to introduce and set for public hearing an ordinance to change the current regular city council meeting start time from 2:00 pm to 1:00 pm. Motion carried unanimously.

### **AMERICAN RESCUE PLAN FUNDS**

City Manager Heiser stated she submitted a letter to Wesley Harper with Nevada League of Cities detailing the city water-sewer infrastructure projects that Harper requested to consider for potential infrastructure funding. Heiser has not heard back from Harper.

No action was taken.

### **BODE HOWARD MEMORIAL POOL- NEW AQUATICS CENTER**

City Manager Heiser reported there are no new updates.

No action was taken.

### **STAFF-COUNCIL REPORTS**

City Manager Heiser reported: 1) the selection and installation of a pump for Well 8 and the pump house construction is proceeding; 2) the list of the locations to be included in the East side curb and gutter project is being prepared; 3) there are no new updates at the Airport Industrial Park (AIP), and the FAA is still performing the section 163 review; 4) there is no new interest in the AIP Loon site; 5) staff and BLM discussed alternatives to the proposed BLM airport lease agreement; 6) the Hardgrave Lane design is finished and staff is working on acquiring the necessary rights-of-way; 7) the water and sewer portions of the Ada Vista project are complete and the required NDEP tests are being done; 8) the City can use some ARPA funding for development of the Recreation Complex planned projects which include outdoor lighting, an urban pond, an amphitheater and a fourplex; 9) work to clean up the community garden is continuing; 10) the Tank 1C painting project is complete and the required NDEP tests are being done with the expected date of June 3 to start refilling the tank; 11) the hydraulic model and design for blending of Well 6 for arsenic remediation is complete and the final report has been received; and, 12) the general aviation concrete hardstand reconstruction project has run into poor soil conditions and the contractor is exploring options for improving those conditions to continue construction.

Council member Mavity reported the city employee negotiations are finished.

Council member Mendiola reported: 1) attending the HAD, Paradise Sonoma Conservation District and Humboldt Foundation meetings; and; 2) the BGC has an upcoming golf tournament.

Council Member Billingsley reported attending the WCVA meeting.

Police Chief Garrison reported: 1) new officer Marcus Molina graduated from POST academy; 2) the PD is preparing for Run-a-Mucca this weekend; 3) NV IT has been working on the server upgrades; and; 4) a security assessment from AEI Security is sought due to ongoing vandalisms.

Mayor Stone reported: 1) attending the County Health board meeting where he announced that the city is discontinuing the wastewater testing this summer; and; 2) the Nevada League of Cities is having their retreat in Fallon June 8-10, if any of the council is interested in attending.

**PUBLIC COMMENT:**

Wayne Smith, Airport board Chairman, announced that the Sports Car Club of America (SCCA) will be at the airport doing an auto cross event this weekend and encouraged people to attend.

Mayor Stone adjourned the meeting at 3:34 p.m.

Respectfully submitted,

Brandy Grimm  
Administrative Assistant II

The federal mandated non-discrimination statement is set out in entirety on the publicly posted meeting agenda for this meeting and is incorporated by reference pursuant to 41 CFR part 60, and is available in the City Clerk Office, 90 W Fourth St, Winnemucca, NV.

**PASSED AND ADOPTED:** June 07, 2022

**VOTE OF COUNCIL:**

**AYES:** Owens, Mavity, Mendiola, Billingsley

**NAYS:** \_\_\_\_\_

**ABSTAIN:** Coats

**ABSENT:** \_\_\_\_\_

**APPROVED:**

**ATTEST:**

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

\_\_\_\_\_  
Ruth Fitzpatrick  
City Clerk