

**CITY COUNCIL MINUTES
REGULAR MEETING
March 22, 2011**

The Winnemucca City Council met in regular session on Tuesday, March 22, 2011 at 2:00 p.m. in the City Hall meeting room. Present: Mayor Di An Putnam, Councilmen Richard Stone, Doug Cain, Joyce Sheen, Jim Billingsley 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.

APPROVAL OF MINUTES:

The March 7, 2011 joint City/County meeting minutes were presented for review and Councilman Sheen moved for approval as submitted. Motion carried unanimously.

The March 8, 2011 regular City Council meeting minutes were presented for review and Councilman Cain 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:

There were no proclamations or employee awards.

PUBLIC / PERSONAL COMMUNICATION / CORRESPONDENCE:

Mayor Putnam conveyed that Ed Klemish, a strong community supporter, had passed away, and will be sadly missed. Services will be held on Saturday.

John Siegfried said he apologized if he offended the City with the statements he made at the March 7 joint City-County meeting regarding the McCoy airport hangar purchase and the Planning Director hiring. Siegfried said he delivered a cognitive narrative to the County Commission yesterday and shared the narrative with the City, adding he appreciates everyone that serves in public office. Siegfried said he is interested in the operational dynamics of how councils and boards function, and said now is the time in the community to think about the "boss of a boss" concept and incorporate it into policy. It is imperative that councils and boards continue to practice in an above board and transparent manner. Mayor Putnam noted that the process by which the City Council operates was discussed at the last meeting. The City Attorney reviewed State laws applicable to elected officials. Putnam stated the City must operate within the confines of what is allowed by law. Those serving must have unbiased opinions in order to make decisions that are for the public good.

DISCUSSION / 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

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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.

MAP APPROVAL APPLICATION PW-11-02 / SHEPPARD

John Milton, Desert Mountain Surveying, presented the owner request to consider removing one of the RPC conditions placed upon the parcel map approved for the property located at the corner of East Winnemucca Blvd. and East Fourth Street. Milton said T.G. Sheppard purchased the property in 2010 from America's Car Collection. Sheppard learned after the purchase that the building constructed on the property was built across four lot lines, which should not have occurred. Sheppard purchased the seven lots and then filed a parcel map application to create four accessible parcels. The property is zoned M-1 (Manufacturing), which requires a 20,000 square foot minimum parcel size. Four of the seven original lots that did not meet the minimum parcel size requirement. The RPC placed a condition requiring a rezone for the new substandard lot created for the existing house, which does not make sense since it is surrounded by property zoned M-1. After discussing this issue with the City Attorney, it was decided that a rezone was not the best long-term option and that a variance should be requested to allow for the substandard lot size. Betty Lawrence, Humboldt County Planning Department, said the lot lines were not shown on the original plan request when construction took place on the America's Car Collection building. Councilman Billingsley expressed concern about the M-1 zoning which would allow for anything to be built with a manufacturing nature on the property. Councilman Stone noted the property in question, and surrounding properties, are already zoned M-1. This request to the City has nothing to do with what type of business can be on the property, it is only to allow a change in the lot lines. Councilman Sheen moved to approve the map approval application PW-11-02 on behalf of T.G. Sheppard to create four (4) new lots from seven (7) existing lots in an M-1 (Manufacturing) zoning district on property located at the intersection of East Fourth Street and Winnemucca Blvd., APNs 015-225-06, -07, -12, and -13; and, 015-255-02, -05, and -11, eliminating the requirement of condition #6 made by the Regional Planning Commission, with a recommendation that the owner return with a variance request for the one substandard lot. Motion carried unanimously.

STREET CLOSURE REQUEST / HUMBOLDT COUNTY LIBRARY

Mayor Putnam said the street closure request is a long-time annual event to accommodate the Summer Reading Program at the Library. The event is well attended by the local youth. Councilman Cain moved to approve the request made by the Humboldt County Library to close Baud Street from Fifth Street to the Winnemucca Rural firehouse for the opening of the Summer Reading Program on Friday June 10, 2011 from 8:00 a.m. to 2:00 p.m. Motion carried unanimously.

UTILITY LINE EXTENSION AGREEMENT / NEVADA RURAL HOUSING AUTHORITY

Mayor Putnam referred to the draft agreement. City Manager West said the agreement defines the cost distribution for the project. The City will provide engineering and contract administration services, and the NRHA will pay for surveying work, autocad drawings, and construction work. City Attorney Maher stated he will further discuss with the Nevada Rural Housing Authority (NRHA) who is actually responsible for the agreement and its contents, as

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there is another entity partnering with the NRHA on the project. Mayor Putnam said the project will enhance the senior complex. West added the reason for the water main extension is to create enough water pressure for the new building and the surrounding complex. Councilman Sheen moved to approve the water main project agreement, subject to the inclusion of changes submitted by staff, to serve the property located on West Minor Street being developed by the Nevada Rural Housing Authority, and authorize the Mayor to sign the agreement when finalized. Motion carried unanimously.

MCCOY HANGAR PURCHASE / WINNEMUCCA MUNICIPAL AIRPORT

Mayor Putnam said the proposal to purchase the McCoy airport hangar was discussed at the March 7 joint meeting with the County, and the County Commission decided to not participate financially. Mike Feticc, Bureau of Land Management (BLM), stated the BLM has been leasing the facility from Randy McCoy since 2001 and although there are no guarantees that the BLM will continue to lease the building, it is a very critical building for the BLM fire operations in this area. Feticc said budget impacts could affect the future operation, but right now the budget is not an issue. The BLM plans to use the building for the long term, but obviously can not commit to future budgets. The building shares aviation assets located in the hangar with the fire department. Councilman Cain said the Airport board was in favor of the purchase because it could become the hub for future development. The airport board wants to promote the airport, and if an air service is located at the airport, this building will be a benefit to the City. Councilman Sheen said she likes the idea of having access and some control over what happens at the airport. With City ownership, some or all of the cost to purchase the building can be recuperated through leasing even though the City is not in the property income business. Councilman Stone felt that the income from leasing the hangar could help cover the maintenance costs for pavement and other improvements. Stone suggested revenue from the lease should not become part of the general fund. Mayor Putnam agreed with both Sheen and Stone. Councilman Brooks asked if the City was prepared to inform the public that taxpayer dollars will be used toward the purchase with no guarantee of continued BLM lease income. Putnam said any income from the building lease will help offset associated costs, and the building is available now and represents a good deal for the City. It could also be used for other purposes should the BLM fire use end. City Attorney Maher said historically lessees of this property have leased the property from the City for a nominal sum and then subleased the property and building and made substantial income over what it cost to lease the property. If the City owned the building, that income will go to the City. Councilman Stone added that the taxpayers are the owner of the land that the building sits on already, and if any money is made, the taxpayer benefits from it. Don Stoker, former City Councilman and former Airport Board member, said this particular hangar is an integral part of the airport and is very important to the airport's future, noting that even if the BLM left, there is no doubt the property will be leased to someone else. Both City Manager West and Maher agreed. Councilman Stone moved for the City to make a formal offer to purchase the airport hangar from Randy McCoy for the appraised price. Motion carried unanimously.

FIRE CHIEF APPOINTMENT / WINNEMUCCA VOLUNTEER FIRE DEPARTMENT

Mayor Putnam officially accepted the retirement of Winnemucca Volunteer Fire Department (WVFD) Fire Chief Walt Johnstone effective June 6, 2011, acknowledging his 35 years of service to the City. The Council uniformly thanked Johnstone for his years of service. A letter was received from the WVFD with their recommendation for the new Fire Chief to be Alan Olsen. Putnam suggested this is a good opportunity for discussion about the department's

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future, since the Fire Chief must work in cooperation with City management and legal counsel. Policies for the department should be reviewed and approved by the City Council. Olsen provided his resume and thanked the Council for being considered to serve as Fire Chief, and thanked Johnstone for his service in the position. Olsen said pro-active involvement with the City team is vital to the success of the department. Olsen's primary goal is to make the City as fire-safe as possible. Other goals include searching for grant funding for a new facility and new fire trucks, and long and short-term goals for training of personnel. Olsen will continue to hold the Training Officer position until someone else in the department is certified as a Training Officer through the State. Putnam said this was a good time to work with management and legal counsel to redefine the relationship between the department and the City. Councilman Sheen said redefining the City relationship with the department must include the City legal counsel, and asked what City Attorney Maher sees as part of that redefinition. Maher stated because the City is linked with the volunteers through fire call compensation and PERS, there is the need to define the City-WVFD relationship to address and control potential liability issues. The City involvement is prompted in part by POOL/PACT, the City liability insurance provider, and in part because of the City interest in proper training, and ensuring policies and procedures are up to date. Putnam stated that the City is committed to supporting the volunteers to make sure the operation is working. Sheen said it is her understanding that the subject of volunteer physical fitness for the job is a liability concern for the City and perhaps this needs to be addressed through policies and procedures that are approved by the City Council. Councilman Cain said the physical fitness requirements of the job are addressed at the State level; any volunteer fireman over the age of 50 must have an annual physical. Councilman Brooks suggested that after Olsen was on board as the new Fire Chief for a time the policies and procedures could be reviewed and/or established with City management and legal counsel for eventual Council review and approval. Johnstone added the policy and procedure reviews could take place through the department Standard Operating Procedures (SOP) process, with department officers reviewing and hashing out any changes or updates, and then presenting them to City management and legal counsel, followed by Council approval. Councilman Billingsley said the people within the department are aware that changes need to be made to address liability concerns, and there is need to work together because it's best for the department and the City, not just because the Fire Chief changed. Councilman Sheen moved to appoint Alan Olsen as Fire Chief effective June 6, 2011, as recommended by the Winnemucca Volunteer Fire Department. Councilman Cain stated for the record that he is a member of the Volunteer Fire Department. Motion carried unanimously.

VEHICLE DISPOSAL / PUBLIC WORKS DEPARTMENT

Councilman Cain moved to find that the 1984 1-ton pickup truck (Unit #15, VIN #1GBHC34M5EV126801) is no longer required for public use and authorized staff to sell it at public auction. Motion carried unanimously.

PINE FOREST USE PLAN / TROUT UNLIMITED WSA-JEFFRESS

Jim Jeffress with the Trout Unlimited Wilderness Study Area (WSA) gave a presentation on the Pine Forest Use Plan. The process began by reviewing the WSAs within Humboldt County. In the 1970's and 1980's, Congress directed the Bureau of Land Management (BLM) to follow the 1964 Wilderness Act which required the assessment of lands within Nevada that meet the WSA criteria. Seventy percent (70%) of land in Nevada qualified. The official study was completed in 1991. The Nevada lands that met the criteria are now managed as WSAs. The review of the Pine Forest WSA areas took place in 2010. Local residents and government employees

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participated in the review process, visiting each site in person. A report was given to the Humboldt County Commission on October 18, 2010 that included twelve issues which were identified within the Blue Lakes and Alder Creek WSA's and recommendations by the group. The draft results of the recommendations have moved to the State and Federal level for final approval. The BLM has completed their process. When a legislative draft and a bill number are received, Jeffress will come back to the Council requesting a letter of support. City Manager West said it was great to see this process use a common sense approach and start from the bottom up, rather than top down. This task was accomplished through the right kind of coordination of people and resources and the leadership provided by Jeffress. Mayor Putnam thanked Jeffress for his presentation.

POW-WOW HONORING RUBY PIPELINE WORKERS / MCDERMITT TRIBAL COUNCIL

Mayor Putnam said an official Pow-Wow is scheduled to take place in Winnemucca on April 8, but there is no one in attendance today representing the McDermitt Tribal Council to give more details.

VOLUNTARY ANNEXATIONS INTO CITY LIMITS

This item was postponed until the April 5 meeting.

STAFF / COUNCIL REPORTS

City Manager West said an arbitration hearing regarding an employee termination took place last week and lasted 12 hours. The "Buy American" waiver has been drafted for the street light project. The LED bulbs that the Council chose at the last meeting will not fit into the acorn-type light fixtures on Haskell Street, and staff is attempting to find an alternative bulb. The water line project on Minor Street is going out to bid soon. Staff started preparations for the seal and cape seal projects scheduled to begin this summer with the focus on collector streets. Staff completed the draft tentative budget for the Thursday Council meeting.

Councilman Stone reported that the HDA met last week and discussed the financial contributions that are usually provided by the local governments. The HDA is going to request the same contributions that were made in the past for another year because of the uncertainty with the UNR Small Business Development Center state budget funding. A \$20,000 grant for workforce housing was applied for and \$15,000 was awarded. The HDA decided to pay \$40,000 to UNR for HDA Director Bill Sims' contract. A proposal is being written up for UNR to review. Without the services of Sims, the responsibility for small business development will end up with the City Manager or County Administrator, unless another individual is hired to fill the position.

Councilman Cain said the Airport board supports the City purchase of the hangar from Randy McCoy. Airport Board member Trout has some good ideas for future airport development.

Councilman Sheen said a Landfill Committee meeting was held yesterday, and the two business enterprises seeking the contract for the recycling grant which were asked to come up with a joint venture proposal for recycling were unable to formulate a joint proposal. Each entity asked for the entire grant. The grant was awarded to DeLong Construction. Atlas Towing said they plan to begin a recycling business in the area.

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Councilman Billingsley did not participate in the RAC field trip due to today's Council meeting. Billingsley attended a Humboldt General Hospital construction tour.

Councilman Brooks attended a Humboldt General Hospital construction tour. The NRC will hold their meeting next week.

Mayor Putnam said she toured the hospital construction site. The WPD began moving into the new building this week with help from the minimum security prison inmates. Monday is the scheduled date of occupation. The building is looking nice and features a large training room, which will hopefully utilize teleconferencing for training. The City will be seeking mine contributions for equipment needed in the new building. A resignation was received from a member of the RPC board and an ad has been placed to solicit applicants for the position. Putnam said she attended a hospital EMS sponsored class on emergency response and the media. Shooting the West was well attended last week. Contract negotiations will begin soon with the employee bargaining units. A meeting was held with the Golf Pro to discuss renewal of the golf pro contract which expires later this year.

Mayor Putnam adjourned the meeting at 4:11 p.m. until the next scheduled regular meeting on April 5, 2011.

Respectfully submitted,

Eddy D. Davis
City Clerk

PASSED AND ADOPTED: April 5, 2011

VOTE OF COUNCIL:

AYES:	Councilmen	<u>Stone, Cain, Sheen, Billingsley, Brooks</u>
NAYS:	Councilmen	_____
NOT VOTING:	Councilman	_____
ABSENT:	Councilman	_____

APPROVED:

ATTEST:

Di An Putnam
Mayor

Eddy D. Davis
City Clerk