

**CITY COUNCIL MINUTES  
REGULAR MEETING  
MARCH 4, 2014**

The Winnemucca City Council met in regular session on Tuesday, March 4, 2014 at 2:00 p.m. in the City Hall meeting room. Present: Mayor Di An Putnam, Councilmen Mike Owens, Doug Cain, 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. Mayor Putnam asked for a moment of silence in remembrance of Terry Miller who passed away February 26, 2014. Miller served as a City Councilman for 14 years.

**APPROVAL OF MINUTES:**

The minutes of the February 18, 2014 regular City Council meeting were presented for review and Councilman Brooks moved for approval as submitted. Motion carried unanimously.

**APPROVAL OF WARRANTS:**

The warrants were presented for review and Councilman Brooks moved for approval as submitted. Motion carried unanimously.

**PROCLAMATIONS / EMPLOYEE AWARDS:**

There were no proclamations or awards.

**PUBLIC / PERSONAL COMMUNICATION / CORRESPONDENCE:**

There were no public or personal communications 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 Tipton 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.

**NIXON LAWN USE REQUEST / FARMER'S MARKET / NEWMAN**

Carole Newman, Winnemucca Farmer's Market Association, requested permission to hold a farmer's market on the Nixon Lawn on Thursdays beginning June 26 and continuing through October 2, 2014, from 4:00 p.m. to 7:30 p.m. Newman said they are trying to get more community involvement this year and make it more like a festival atmosphere by using an assortment of vendors, a bounce house, demonstrations, a food truck and more. They want to

make it a destination for Thursday nights. There was a fair turn out last year, but they believe it will take a couple of years to get the people acclimated to the event not being held at the Community Garden. They plan to coordinate with the Thursday Winnemucca Cruise Night event and the July 3<sup>rd</sup> Taste of Winnemucca event. They will not be using the Nixon Lawn during the Superior Livestock Auction. Newman said she received the information and forms for the required blanket business license required by the City. Councilman Cain moved to approve the request to use the Nixon Lawn for the Farmer's Market on Thursdays, beginning June 26 continuing through October 2, 2014 from 4:00 p.m. until 7:30 p.m. Motion carried unanimously.

#### **SPORTS COMPLEX USE REQUEST / MOTHER'S DAY TOURNAMENT / RACKLEY**

Gina Rackley, Winnemucca Traveling Baseball League, requested permission to use the Sports Complex for the annual Mother's Day Baseball Tournament on May 10-11, 2014. Rackley said there will be 14 to 16 teams for the age fourteen and under tournament. Councilman Brooks asked if there are any conflicts with the sports complex schedule. There were none. Councilman Brooks moved to approve the request by the Winnemucca Traveling Baseball League to use the Sports Complex and waive the fees for the annual Mother's Day Baseball Tournament on May 10-11, 2014. Motion carried unanimously.

#### **VARIANCE REQUEST VW-14-01 / REDUCE REQUIRED PARKING SPACES / SHEPPARD**

John Milton, Desert Mountain Surveying, as agent for T.G. Sheppard Limited Family Partnership, requested reduction of the required 50 parking spaces to the existing 26 spaces for the 3xD Church which will be utilizing a portion of the building located at 409 Hanson Street. Mayor Putnam asked if the church will be meeting only on Sunday. Milton said yes, and maybe some evenings. Milton said the other business, Curves, that occupies the building is closed on Sundays so there will be no conflict with use of the parking spaces. Betty Lawrence, Planning Department, stated they had received no comments and staff recommends approval. Councilman Cain moved to approve variance VW-14-01 to allow a reduction of the required 50 parking spaces to 26 spaces for the property located at 409 Hanson Street, APN 015-322-01. Motion carried unanimously.

#### **ORDINANCE ADOPTION / BILL NO. 02-18-2014A – ORDINANCE NO. 799 / MORRISSEY**

John Krmptotic with KLS Planning and Design Group as agent for property owners Patrick and Joyce Morrissey requested to reclassify the master plan from MDR-County (Medium Density Residential) to MDR-City (Medium Density Residential) for property located east of the new extension of Offenhauser Drive and south of Stuart Street, APN 010-148-04, which is approximately 80 acres in size. Betty Lawrence, Planning Department, stated staff recommends approval of this request and the Regional Planning Commission voted to recommend approval of this request at their February 13, 2014 meeting. Mayor Putnam called for public comment. There was no public comment. Councilman Owens moved to approve, based on staff recommendation, the master plan change for APN 010-148-04 from MDR-County (Medium Density Residential) to MDR-City (Medium Density Residential). Motion carried unanimously.

#### **ORDINANCE ADOPTION / BILL NO. 02-18-2014B – ORDINANCE NO. 800 / MORRISSEY**

John Krmptotic with KLS Planning and Design as agent for property owners Patrick and Joyce Morrissey requested to rezone property from RR-2.5 (Rural Ranchette, 2.5 acre minimum lot size) to R-1-9 (Single-Family Residential, 9,000 square foot minimum lot size). The eighty acre

parcel is located east of the new extension of Offenhauser Drive and south of Stuart Street. Mayor Putnam called for public comment. There was no public comment. Betty Lawrence, Planning Department, read a letter from Frank Gabica, whose property abuts the west side of the Morrissey parcel, supporting the zone change request. Krmptic stated another adjacent property owner, the Dolans, attended the RPC meeting and testified in agreement with three to four houses per acre, which will be comparable with RR-2.5 zoning. Krmptic explained the tentative development plan for the property has perimeter lots which are over 13,400 square feet, and are larger than the zoning of the abutting properties. Krmptic said the 219 proposed lots legally conform to the recently approved master plan amendment. Morrissey is asking for a rezone of R-1-9 for all the property. He said the big picture is to get lot sizes manageable in order to get housing prices down to something the market can bear. City Attorney Maher stated the rezone could be approved consistent with the master plan a couple of ways: 1) with a development agreement providing the property will be developed a certain way or, 2) with zoning transition strips. Maher stated otherwise the City has no control once it is zoned R-1-9, because the projected 3.7 residences per acre is purely hypothetical. There was additional discussion of the conceptual design presented and the future planned roads. City Manager West emphasized that while the developer's concept is acceptable (as it includes a transition from larger lots on the exterior to smaller lots on the interior) once the rezone is granted the developer could always revise the plan to include only the smallest allowable lot size. Morrissey commented he has to have some flexibility for development. West said that the Council has approved transition strip zoning on past developments. Morrissey said by agreeing to transition zoning, they may be buffering someone that comes in with smaller lots in the future. Councilman Billingsley asked if Morrissey was agreeable with a transition zone of R-1-12 along the west side of the Dolan property (APN 016-591-05) and the same along the north side of the Mitchell property (APN 010-681-12) with the remainder of the parcel zoned R-1-9. Councilman Owens asked if this had been presented at the Planning Commission. Krmptic stated yes. Councilman Brooks asked Morrissey if he was comfortable with this approach. Morrissey said it's not what they really want but they will work with it. Morrissey agreed to amend the application to include R-1-12 zoning strips as discussed. Councilman Brooks moved to approve rezone application RW-13-08 requesting to change zoning district classification from RR-2.5 to R-1-9, with an amendment to the application by Morrissey to allow R-1-12 zoning strips abutting the Dolan (APN 016-591-05) and Mitchell (APN 010-681-12) properties. Motion carried unanimously.

**PROPOSED REVISIONS TO SPECIAL USE PERMIT NOTICES**

Betty Lawrence, Planning Department, stated the County has discussed requiring that all county conditional use permits be noticed in the newspaper. Currently, only those properties within 300 feet of the proposed conditional use location are notified by mail. The proposal is to still notify owners within 300 feet, and to require a publication of notice in the newspaper. Lawrence noted the county and city typically want consistency between the two entities, and asked if the city is agreeable to doing the same. City Manager West asked Lawrence how many CUPs (conditional use permits) are issued per month. Lawrence stated around two or three, and most are in the county. City Attorney Maher said there is no requirement to publish a notice by State law, which requires only the 300 feet notification, and it may be allowable. Mayor Putnam said the city and county doing things the same makes it easier for the public. Councilman Tipton moved to proceed with changing the notice requirements for conditional use permits. Motion carried unanimously.

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## **REVISIONS TO MASTER PLAN AND ZONING DESIGNATIONS**

Betty Lawrence, Planning Department, suggested consideration of a cleanup of certain City master plan designations. Urban designations refer to property actually within the City limits, and rural designations refer to property outside the City limits but within the sphere of influence of the City. Lawrence said there is a big gap between MDR (medium density residential) and MHDR (medium high density residential) and HDR (high density residential) when it comes to density. The purpose of the proposed master plan designation cleanup is to eliminate the gap between designations and make it easier to understand. The changes will not affect any current zoning, but it could possibly affect a zone change request for the properties currently zoned R-1-12 and the properties zoned E (estate), RE (rural estates) and AR (agricultural residential) which do not have a LDR (low density residential) master plan designation. There are only a few properties with such designations within the City limits. Lawrence said it's just an idea for now and she can bring it back for a clearer explanation. City Attorney Maher said in order to accomplish the suggested changes, the City may have to go through a whole process including public hearings. Lawrence questioned if every property owner will have to be noticed, or if it could be done with a public notice in the newspaper because it does not change property uses. The matter was referred to staff for further consideration.

## **STAFF / COUNCIL REPORTS**

City Manager West reported there was a sewer backup over the weekend which affected two houses in the Railroad Subdivision. It was caused by tree roots and grease, and resulted in substantial damage to one residence. The City maintenance log shows substantial routine flushing of the main in that area, and routine video inspections. The root problem section will be dug up and repaired in the near future. West reported that staff is working on budget submittals. Budget hearings are set for 9:00 a.m. March 19. NDOT has forwarded the City offer to accept ownership of the Haskell Street right-of-way to the Attorney General's office for revisions to the draft agreement for relinquishment of Haskell Street, which could possibly happen before July 1, as NDOT has the money budgeted this year for the \$750,000 payment. The Airport Industrial Park brochure has been completed by Bill Sims. West said Sims did a good job on the pamphlet which promotes the industrial park.

Councilman Owens reported he and Councilman Cain attended the county audio web conference put on by the American Planning Association.

Councilman Cain attended a LEPC meeting and will attend the Airport Board meeting on March 10.

Councilman Tipton attended the HDA meeting; they authorized hiring a part time employee. Tipton will attend the Paradise Sonoma Conservation District meeting on March 6. There was full attendance at the Ranch Hand Rodeo this past weekend, with a record for attendance set on Saturday.

Councilman Billingsley attended the WCVA meeting. A concerned citizen spoke to Billingsley about the location of the new dog pound. Billingsley believes the citizen will be satisfied when he sees the building location plan.

Councilman Brooks reported she will attend the NNRC meeting next week.

**NOT APPROVED**

Mayor Putnam reported she was part of a telephone conference with the Nevada League of Cities board meeting. NLC adjusted fees for city memberships based on population. She met with LP Insurance Services regarding health insurance and is hoping to get a competitive bid from them for the City health insurance.

**PUBLIC-PERSONAL COMMUNICATION-CORRESPONDENCE:**

Marlene Brissiden reported Tesla Manufacturing is looking at locating at the Reno Airport Industrial Park and questioned if this is something the Winnemucca Municipal Airport should be pursuing. Mayor Putnam said Tesla is proposing to hiring 6,500 employees which will bring in about 10,000 people, and Winnemucca is not prepared to take on such an influx of people.

The meeting was adjourned at 3:12 p.m.

Respectfully submitted,

Lorrie Haaglund  
City Clerk

**PASSED AND ADOPTED:** March 4, 2014

**VOTE OF COUNCIL:**

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

**APPROVED:**

**ATTEST:**

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Di An Putnam  
Mayor

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Lorrie Haaglund  
City Clerk