

**CITY COUNCIL MINUTES
REGULAR MEETING
FEBRUARY 3, 2015**

The Winnemucca City Council met in regular session on Tuesday, February 3, 2015 at 2:00 p.m. in the City Hall meeting room. Present: Mayor Di An Putnam, Councilmen Mike Owens, Theresa Mavity, 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.

APPROVAL OF MINUTES:

The minutes of the January 20, 2015 regular City Council meeting were reviewed and Councilman Owens moved for approval as submitted. Motion carried unanimously.

APPROVAL OF WARRANTS:

The warrants were reviewed and Councilman Brooks moved for approval as submitted. Councilman Billingsley abstained from voting on warrants for Jim Dandy Productions as he is the owner of the business. Motion carried unanimously.

PROCLAMATIONS / EMPLOYEE AWARDS:

Mayor Putnam read a proclamation recognizing February as "National Teen Dating Domestic Violence Awareness Month." Winnemucca Domestic Violence Services (WDVS) representative Paula Magana said they are working to create awareness with teenagers in high school and junior high to prevent abusive relationships. February 10 is designated as "National Wear Orange Day" as a reminder to promote love and respect for others. Magana thanked the Mayor and City Council for their continued support of WDVS.

PUBLIC / PERSONAL COMMUNICATION / CORRESPONDENCE:

Mayor Putnam read a letter from Newmont Mining Corporation recognizing City Manager/Engineer Steve West for the engineering and planning assistance that he provided on the comprehensive storm water drainage improvement project on East Winnemucca Boulevard. Putnam commended West for going above and beyond his regular duties to provide assistance on this non-City project for the good of the community.

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 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 / NORTHERN NEVADA RACING ASSOCIATION (NNRA)

Patty Ellifritz, representative of Northern Nevada Racing Association, said this is the third year for the NNRA-sponsored Winnemucca Cruise Night event, and every year there are more participants, more cars and more spectators. Five different organizations will sponsor/manage a monthly street cruise. NNRA is proposing the cruise nights to be held on the third Thursday of the month beginning in May and ending in September. Councilman Billingsley moved to approve the temporary street closure of Bridge Street from Second Street to Fourth Street for Winnemucca Cruise Night on May 21, June 18, July 16, August 20 and September 17 from 6-10 p.m. Motion carried unanimously.

FACILITIES USE-FEE WAIVER REQUEST / YOUNG LIFE GOLF TOURNAMENT / TIMKO

Lori Timko, representing Young Life, explained Young Life wants to hold their first annual golf tournament April 18, 2015 as one of two large fundraisers Young Life will be doing to sustain their budget. The tournament fees will amount to almost \$3,000 to hold the event. Timko asked if the City will negotiate the amount or give a onetime fee waiver. Timko said she does not anticipate asking for the waiver again in the future as Young Life should then be able to pay the fees. Mayor Putnam asked who they are anticipating to play. Timko stated it is open to the community adults and youth, plus they will be inviting people from Reno and Elko that support Young Life in those communities to participate. Putnam stated that the City charges \$5.00 per player with a minimum \$200 for a ½ day or \$400 for a full day for a tournament. The green fees are waived if 50% of the participants are from out of town. City Attorney Maher explained there is a provision in the Municipal Code that allows the Council to waive a fee if it's a benefit to the community. Putnam asked how many youth are involved in Young Life. Timko stated they started out with six members a little over a year ago and now they have 100 youth attending. Councilman Billingsley said he definitely feels it falls into the community benefit category. Councilman Owens asked if it would be a half day tournament. Timko stated yes; the event will begin at 9 a.m. and take about 5 hours. They are anticipating charging \$100 for a team of four and since Timko has never sponsored a golf tournament before, the Golf Pro is helping her. Billingsley suggested they get as much help as they can, so they don't lose money the first year. Councilman Billingsley moved to approve the request from Young Life to hold a golf tournament April 18, 2015 and to waive the fees. Motion carried unanimously.

VARIANCE REQUEST VW-15-01 / REQUEST TO REDUCE REQUIRED ONSITE PARKING / AMES

Betty Lawrence, Planning Department, presented the variance request submitted by Linda Ames to reduce the required onsite parking to zero, since none is available, and to allow on street parking for a real estate office. Subject property is located at 349 W. Winnemucca Boulevard, Assessor's parcel number 3638-30-277-004. There were no comments received from referrals. Lawrence stated, in reviewing the history of this commercial property, it does not appear that off street parking has ever been available. Councilman Brooks asked how many realtors Ames would employ. Ames replied one or two, but usually the realtors are out showing

properties to potential customers and not in the office. Councilman Tipton moved to approve the variance request based on staff findings and recommendation. Motion carried unanimously.

VARIANCE REQUEST VW-15-02 / REQUEST TO UTILIZE PARKING ON RAILROAD PROPERTY / HUMBOLDT COUNTY HOSPITAL DISTRICT

Betty Lawrence, Planning Department, presented a variance request submitted by Mike Sheppard as agent for Humboldt County Hospital District to utilize 162 parking spaces on a 4.06 acre parcel currently being leased from Union Pacific Railroad. Subject property is located at the corner of Bridge Street and Haskell Street. The property is not identified by an Assessor's parcel number and does not have a zoning designation. Lawrence quoted Winnemucca Municipal Code Chapter 17.25.090(b) which states "Whenever the use of a separate lot or parcel is proposed for fulfillment of minimum parking requirements, the owner shall submit as a part of his [site plan] application, satisfactory assurance that the separate lot or parcel is permanently committed to parking use by deed restriction or other enforceable, legal measure." The Hospital District is currently leasing the property from Union Pacific Railroad. The Planning Commission suggested there is no permanent commitment to parking use which appeared to the Commission to require a variance. Mayor Putnam said it is not the intent of the City to hold up or deter the hospital from going forward with their plans for building. Councilman Tipton said he doesn't see a problem with the proposed parking; it's not the ideal parking but will work for this situation. Putnam stated there had been discussion in the past about allowing a variance with a condition that at each phase of (building) expansion a review would be required to make sure the parking was adequate and she asked Sheppard if that would be a problem. Sheppard stated he didn't feel there was any reason to have to revisit parking again prior to each building phase for the reason that the building footprint has been defined and the uses (and parking requirements) will not change. The Planning Commission approved phases 3, 4 and 5 as applied for and each has more parking than is required. Sheppard said he didn't see a good rationale for a conditional variance because the footprint is complete and the (parking) spaces are programmed according to the building uses. Putnam said it appears the variance request technically meets the City's parking ordinance but concerns have been voiced in the past because the new parking lot (located across Haskell Street) was too far from the Hospital's front door and is not being used by the hospital's clients. Putnam noted the City cannot dictate how far the clientele walk, and can only ensure compliance with the requirements of the ordinance. Putnam said the issue before the Council is if it can be considered permanent long term parking or not. Councilman Brooks said she still had an issue with the variance because leasing isn't permanent and questioned what will happen if the lease is terminated. Sheppard stated there are several other railroad properties which have been leased for many years without termination by the railroad, but if that happened it will not be a Planning or City problem; it will be a Hospital District problem. Sheppard said the site plan was approved and there has to be continuing compliance with the conditions, and at any time there are changes, then the site plan is subject to revocation or alteration and the change has to be addressed. Councilman Brooks concluded that there was a safety net in place for that situation. Brooks also said there is a safety issue during the hospital expansion. Sheppard said they take the issue of safety very seriously and stated in addition to the flashers placed for pedestrian safety the City may want to consider approval of a temporary 15 mph speed limit through the construction zone. Putnam asked Lawrence what the time frame would be if the Council remanded the variance request back to Planning. Lawrence stated it would not be addressed until the March meeting. Sheppard said the building permit had already been issued; remanding the variance back to Planning will just

delay the process. Lawrence said she believes the outcome will be the same if the matter goes back to Planning. Councilman Owens stated he felt uncomfortable with the 30 day termination clause in the railroad lease and asked if each phase couldn't be presented to the City for staff approval and also questioned what would happen with the temporary building when the hospital construction was done. Sheppard stated he did not see an end life for use of the building. Owens asked Sheppard what would happen if they decided they needed to increase the size of the memory unit or other hospital departments. Sheppard said if they expanded beyond the original footprint they would be subject to a site plan review; any modification will require an appearance before the Planning Commission again. Owens stated in that case, he is comfortable with a conditional variance. City Manager West felt that there is a huge difference between owned property and leased property with a 30 day termination notice; neither one may be permanent but one is a lot more permanent than the other. A conditional variance will require the hospital to periodically confirm that they are continuing to meet the requirements of the parking ordinance. While it appears that the Hospital has technically met the parking code requirements, West said it is obvious to him that they are not providing adequate and convenient parking for their expanding campus. West believes the failure to provide usable parking is having increasingly negative impacts on the users of Vesco Park. Sheppard stated useable parking is not stated nor defined nor required in the City Municipal Code. West complimented the effort the hospital employees have made in not using the Vesco Park parking, but expressed concern about the increasing hospital uses of this parking. West stated he is not against the growth of the hospital facility but feels the usable parking issue has not been adequately addressed. Putnam stated the growth of the hospital isn't a negative impact; where the people park or don't park becomes the negative. The hospital, in good faith, will always have a course of communication with the City. Councilman Brooks said it is a matter of the hospital educating not only their employees but their clients regarding parking. Councilman Brooks moved to approve the variance request VW-15-02 submitted by Mike Sheppard as agent for Humboldt General Hospital to utilize 162 parking spaces on a leased parcel from Pacific Railroad in order to satisfy parking for the hospital remodel/expansion. Motion carried unanimously.

FACILITIES USE-FEE WAIVER REQUEST / SOFTBALL TOURNAMENT / LININGER

Mayor Putnam explained that Chris Lininger expanded his request at the last City Council meeting for use of the sport complex for the annual Girls Fast Pitch Softball Tournament to include Friday, June 26, 2015. Councilman Brooks moved to approve the request from the Winnemucca Girls Softball Association to include Friday June 26, 2015 to hold their annual fast pitch tournament and to waive the fees. Motion carried unanimously.

STAFF-COUNCIL REPORTS

City Manager West said all projects are still on-going with nothing new to report.

Councilman Tipton attended the HDA meeting last week.

Councilman Billingsley attended the WCVA meeting and reports the room tax revenues are still down.

Councilman Brooks attended the Landfill Committee meeting yesterday and will attend the NNRC meeting next week.

Mayor Putnam said she had again received some downtown parking complaints during the MSHA training which was held at the Convention Center. The Post Office wants the hospital annex mail receptacle to be located on Haskell Street. The City had asked the Post Office to locate the mail receptacle within the new parking area and Putnam suggested the City write a formal letter stating the City's concerns about the unsafe Haskell Street location.

PUBLIC-PERSONAL COMMUNICATION-CORRESPONDENCE:

There was no public or personal communications or correspondence.

The meeting was adjourned at 3:50 p.m.

Respectfully submitted,

Lorrie Haaglund
City Clerk

PASSED AND ADOPTED: February 17, 2015

VOTE OF COUNCIL:

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

APPROVED:

ATTEST:

Di An Putnam
Mayor

Lorrie Haaglund
City Clerk