

**CITY COUNCIL MINUTES
REGULAR MEETING
MAY 10, 2016**

The Winnemucca City Council met in regular session on Tuesday, May 10, 2016 at 2:00 p.m. in the City Hall meeting room. Present: Mayor Di An Putnam, Councilmen Mike Owens, Theresa Mavity, Jim Billingsley and Paige Brooks. Absent: Councilman Ken Tipton. Staff present: City Attorney Kent Maher, City Manager Steve West and City Clerk Lorrie Haaglund.

CALL TO ORDER:

Mayor Putnam called the meeting to order at 2:00 p.m.

PUBLIC COMMENT - PERSONAL COMMUNICATION - CORRESPONDENCE:

There was no public comment or personal communication or correspondence.

MINUTES:

The April 19, 2016 regular City Council meeting minutes were reviewed and Councilman Billingsley moved for approval as presented. Motion carried unanimously.

WARRANTS:

The warrants were reviewed and Councilman Mavity 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 - AWARDS:

Mayor Putnam read a proclamation declaring the month of May as Nevada Wildfire Awareness Month.

BUSINESS ITEMS - 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 and Councilman Owens 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.

TEMPORARY STREET CLOSURE REQUEST / WINNEMUCCA BASQUE CLUB

Councilman Brooks disclosed that she is a representative and member of the Basque Club and will be abstaining from the discussion and action on this matter. Mayor Putnam said this is the annual request for the temporary street closure to hold the Basque Parade. Councilman Billingsley moved to approve the Winnemucca Basque Club request, subject to the Nevada Department of Transportation approval and notification to the Winnemucca Police Department,

to close Winnemucca Blvd. from the Model T Motel parking lot to Hurst Street on Saturday June 11, 2016 beginning at 11:00 a.m. for the Basque Parade. Motion carried unanimously with Councilman Brooks abstaining.

FACILITIES USE-FEE WAIVER REQUEST / GOLD RUSH SOFTBALL TOURNAMENT

Chris Lininger, President of the Winnemucca Girls Fast pitch Association, requested to use the Sports Complex and waiver of the fees for a girls softball qualifier tournament which is expected to bring about 25-30 teams and their families. Councilman Brooks moved to approve the Sports Complex use and fee waiver request for the Winnemucca Gold Rush Tournament on Saturday May 28, 2016 and Sunday May 29, 2016. Motion carried unanimously.

TEMPORARY STREET CLOSURE REQUEST / SILVER STATE INTERNATIONAL RODEO

Mayor Putnam presented a request from Darrel Field, Marketing and Events Coordinator for Winnemucca Events Center, to temporarily close a portion of Fairgrounds Road for the Silver State International Rodeo. Councilman Brooks moved to approve the request to close Fairgrounds Road from the RV Park entrance to the Indoor Event Center entrance beginning 8:00 a.m. Sunday June 26, 2016 and ending at 6:00 p.m. Sunday July 3, 2016. Motion carried unanimously.

TEMPORARY STREET CLOSURE REQUEST / FIFTIES FEVER

Mayor Putnam presented a request from Darrel Field, Marketing and Events Coordinator for Winnemucca Events Center, for temporary street closures to accommodate the Fifties Fever annual car show. Councilman Brooks moved to approve the temporary street closures for the Fifties Fever annual car show as follows: Winnemucca Blvd from the West Winnemucca Blvd intersection with Fourth Street to East Winnemucca Blvd intersection from 4:00 p.m. to 5:00 p.m. Sunday July 31, 2016 for a car cruise; Lay Street from Fourth Street intersection to Winnemucca Blvd. from 8:00 a.m. Friday July 29, 2016 to 12:00 p.m. Sunday July 31, 2016; Bridge Street from Fourth Street to the Winnemucca Blvd. intersection and from Winnemucca Blvd. intersection to Giroux Street from 8:00 a.m. Sunday July 31, 2016 to 5:00 p.m. Sunday July 31, 2016; and, Second Street from Bridge Street intersection to Melarkey Street from 8:00 a.m. Sunday July 31, 2016 to 5:00 p.m. Sunday July 31, 2016. Motion carried unanimously.

TEMPORARY STREET CLOSURE REQUEST / TRI-COUNTY FAIR AND STAMPEDE

Mayor Putnam presented a request from Darrel Field, Marketing and Events Coordinator for Winnemucca Events Center, for temporary street closures to accommodate the Tri-County Fair and Stampede on Labor Day weekend. Council Mavity moved to approve temporary street closures for the Tri-County Fair and Stampede celebration as follows: Winnemucca Blvd. from West Winnemucca Blvd. intersection with Fourth Street to East Winnemucca Blvd. intersection for the annual Labor day parade from 11:00 a.m. until parade concludes at approximately 12:30 p.m. Saturday September 3, 2015; and, Fairgrounds Road from the RV Park entrance to the Indoor Events Center entrance for Fair events from 3:00 p.m. Thursday September 1, 2016 to 11:00 p.m. Sunday September 4, 2016. Motion carried unanimously.

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2016 STREET MAINTENANCE PROJECT BID AWARD

Mayor Putnam reported the City received three bids for the proposed 2016 street maintenance project. The Engineer's estimate for the project was \$457,646.85. Valley Slurry Seal bid \$385,059.60; Intermountain Slurry Seal bid \$496,047.03; and, Sierra Nevada Construction bid \$486,526.72. City Manager West said Staff recommends accepting the low bid from Valley Slurry Seal who has performed the work several times in the past with good results, and their bid was well under the estimated cost. The project will be funded with RTC funds. Councilman Brooks moved to accept the low bid from Valley Slurry Seal in the amount of \$385,059.60. Motion carried unanimously.

AIRPORT TAXIWAY / WIND CONE PROJECT

Mayor Putnam explained that the Airport Taxiway and Wind Cone project is FAA funded and the bids must be in hand before the FAA will actually award the grant funds. The City received two bids. Qualcon Contractors was the low bidder in the amount of \$1,192,455. City Manager West reminded that the FAA funds 96.25% and the City and County cost share the 3.75% local match. There were three schedules in the bid package and Armstrong Consultants recommends award of only Schedules I and II of the Qualcon bid. Councilman Billingsley moved to tentatively award Qualcon the bid for the work in Schedules I and II in the amount of \$1,192,455 subject to receipt of formal FAA funding notification. Motion carried unanimously.

UTILITY EASEMENT ENCROACHMENT NOTICES

Mayor Putnam said the problem of property owner encroachment on utility easements has been an ongoing issue for many years and it seems to be getting worse, particularly between Minor Street and Highland Drive, where utility easements were created instead of dedicated alleyways. Over the years people have placed fences, built structures and stored vehicles/trailers in the easements, making it difficult or impossible for the City to get equipment into the areas for required maintenance and repairs. Sewer lines are typically eight to ten feet deep which makes equipment access necessary. City Manager West provided a draft notice which is proposed to be sent to the property owners to request clearing of their easements as soon as possible. As the utility structures age it becomes increasingly important to have unrestricted emergency access to the easements. Councilman Billingsley said some property owners may have bought the property not knowing that an easement exists. City Attorney Maher stated legally a purchaser is on notice when the property is purchased because the subdivision map that created the lot was recorded with the easement shown; the recording gives the notice. Billingsley asked how it will be enforced. West said he hopes most people will voluntarily comply, but the City will need to be prepared to take enforcement action on those that do not comply. West said it is a tough call whether to wait until an emergency to clear the encroachments. Either way, it's not going to be received well by the property owners due to the length of time that the encroachments have existed. Maher said the notice should make it very clear to the owners that the City is not legally obligated to repair any damage done to private property encroachments located in an existing easement. Councilman Owens moved to approve the distribution of the utility easement encroachment notices as discussed to the eighty property owners having documented encroachments. Motion carried unanimously.

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NATIONAL CITY COUNCIL MEETING

Mayor Putnam reported the National League of Cities and Municipalities (NLC&M) has voted to support the "National City Council Meeting" initiated by City of Henderson Mayor Andy Hafen. The NLC&M Board has chosen closing the online sales tax loophole (Marketplace Fairness or E-fairness) as the focus of this year's event. Putnam said that most on-line sales do not include sales taxes, which puts local businesses at a disadvantage and seriously reduces the sales tax revenues for local governments. Councilman Mavity felt the City should support the initiative for tax fairness. Councilman Brooks moved to approve signing a resolution in support of closing the online sales tax loophole. Motion carried unanimously.

STAFF-COUNCIL REPORTS

City Manager West reminded that a joint meeting with the County is scheduled for next Monday to discuss the City-County Shared Cost Agreement. West said there are a few minor budget modifications to be presented at the next meeting, which will be the public hearing for the FY16-17 tentative budget and request for approval of the final budget. Sewer project update: the BLM and Stantec have completed the revisions to the Environmental Assessment required by the State Historic Preservation Office; the FONSI notice was re-published on May 6, 2016; the 45-day NORA comment period will end May 25, 2016; the patent from the BLM should be approved by the State BLM office by June 23, 2016; and, the limited administrative notice to proceed was issued to the CMAR contractor on April 27, 2016 giving the contractor the ability to lock in subcontract prices and the guaranteed maximum price. West is currently working on the bid package for the 2016 Street-Alley Reconstruction Project. West is proposing to do the test drilling portion on the Well #8 project this year and delay equipping the well until the following fiscal year to allow moving forward with the First Street water-sewer main project. The HAD received two appraisals on the property separating the Airport industrial park property from Airport Road, and they will attempt to negotiate an acceptable purchase agreement with the property owner. If successful, they will propose a cost share with the City and County.

Councilman Owens attended the Airport Board meeting and reported they appointed Wayne Smith as the new Vice Chairman. Airport Manager West reported on the two open meeting law complaint determinations by the Attorney General's Office. The Airport held an open house on May 9, 2016 and had over 700 visitors. Owens attended the LEPC meeting.

Councilman Mavity reported that she and family members participated in the Boys and Girls Club golf and bowling fund raising tournament. Mavity attended the Arbor Day event at the Community Garden and the Drug Court graduation.

Councilman Billingsley will attend the WCVA meeting. They are moving forward with a new replacement structure for the damaged covered arena at the Events Center.

Councilman Brooks attended the Chamber luncheon; the Basque Festival was the discussion topic. Brooks reported receiving some calls regarding the baseball tournament being cancelled Sunday because the tournament fields were too wet for play.

Mayor Putnam: (i) attended the Shooting the West event; (ii) participated with Councilman Brooks in the Sonoma Heights reading program; (iii) gave a speech at the FAA dinner; and, (iv)

