

**CITY COUNCIL MINUTES
REGULAR MEETING
NOVEMBER 5, 2019**

The Winnemucca City Council met in regular session on Tuesday November 5, 2019 at 2:00 p.m. in the City Hall meeting room. Present: Mayor Richard Stone; Council members Mike Owens, Theresa Mavity, Vince Mendiola, Jim Billingsley and Paige Brooks; and, City Manager/Engineer Alicia Heiser, City Attorney Kent Maher and City Clerk Lorrie Haaglund.

CALL TO ORDER:

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

PUBLIC COMMENT-PERSONAL COMMUNICATION-CORRESPONDENCE:

Anita Paquette, American Legion Auxiliary representative, said the Veteran's Day parade will be held on November 11, 2019 beginning at 11:00 a.m. Paquette advised they want a temporary street closure for Bridge Street. The City Police Department and the Nevada Department of Transportation have been notified of the parade time and route. Paquette was directed to work with City staff to coordinate the street closure. Paquette commented that the parade event was started 19 years ago with three parade entries and this year will have over thirty.

Chad Backus, Winnemucca resident, thanked the City Council for all they do for the City and community. Backus addressed the marijuana dispensary located on the corner of Highland and Hanson saying he is not pleased with the location. Mayor Stone said the dispensary is a tribal dispensary located on Winnemucca Colony property and the City has no jurisdiction. Stone said the location is also a concern to the City. Stone and City Manager Heiser met today with the County Commission Chairman, the County Manager and the District Attorney to discuss some of the issues and concerns with the dispensary and to see what, if anything, can be done, including, contact with the Department of Justice and the State Department of Taxation, which regulates marijuana in Nevada. Backus asked if anything can be done to procure a different location. Stone said there have been conversations about the possibility of the Colony using a different site and the City would support a more preferable location. City Attorney Maher said the City can't force the Colony to do or not do anything. Stone said the dispensary building does not appear to be on a permanent foundation, so there is hope the Colony can find a different location. Maher explained that the Colony representatives indicated they are considering acquiring private property in the City as a possible location for a dispensary. If they do acquire private property, they will likely want to convert it to tribal property to facilitate the production and sale of marijuana. Maher said support from the City will speed up the process to change property from private property to tribal property. Council members Owens and Brooks commented they still wanted to reach out to the tribal representatives to see what their plans are. Council member Billingsley said if the people in Winnemucca don't like the location, they should let the tribal representatives know of their displeasure.

MINUTES:

The October 22, 2019 City Council minutes were reviewed and Council member Mendiola moved for approval as submitted. Motion carried unanimously with Council members Brooks and Mavity abstaining from voting as they were absent from the October 22, 2019 meeting.

WARRANTS-EXPENSES:

The payments for warrants and expense reports were reviewed and Council member Owens moved for approval as submitted. Motion carried unanimously with Council member Billingsley abstaining from voting on Jim Dandy Productions warrants as he is the owner of the business.

PROCLAMATIONS-AWARDS-PRESENTATIONS:

Mayor Stone presented a proclamation declaring November 30, 2019 as Small Business Saturday and urged everyone to shop locally.

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 Mavity 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.

LITTLE FREE LIBRARIES’ PLAN / HUMBOLDT COUNTY LIBRARY READING COALITION

Jessica Anderson, representing the Humboldt County Reading Coalition, requested permission to place a wood box in each of the City parks for use as “Little Free Libraries.” The goal is to improve literacy among adults and children in Winnemucca. Anderson said the best way to improve literacy is to provide access to books. The Coalition wants to place the first box in Vesco Park. Anderson requested help from the City to determine locations and assist with installation of the posts to mount the library boxes. The Coalition will assume stewardship over the libraries and make sure the boxes are kept in good condition and full of books. The idea is to take a book and leave a book. Council member Brooks moved to approve the plan for placing the “Little Free Libraries” in the City park locations. Motion carried unanimously.

2019 CHRISTMAS PARADE OF LIGHTS / BRIDGE STREET / CHAMBER OF COMMERCE

Debbie Stone, Humboldt County Chamber of Commerce representative, requested a ban of on-street parking and closure of Bridge Street between Railroad Street and Giroux Street for the annual Christmas Parade of Lights on Saturday, December 14, 2019 from 4:30 p.m. to 6:30 p.m. The theme of this year’s parade is Christmas at the North Pole. Mr. and Mrs. Claus will be represented by Rob and Sunny Johnson. Stone invited the Mayor and Council to take part in the event. Council member Billingsley moved to approve the Humboldt Chamber of Commerce request to close Bridge Street between Railroad Street and Giroux Street and to ban on-street parking for the annual Christmas Parade of Lights on Saturday, December 14, 2019 from 4:30 p.m. to 6:30 p.m. Motion carried unanimously.

STREET-PARK USE REQUEST / “COLOR THE MUCC” EVENT / CHAMBER-WDVS

Debbie Stone, Humboldt County Chamber of Commerce representative, requested the use of various city streets and Vesco Park for the sixth annual “Color The Mucc” event on Saturday April 25, 2020. The route is the same as last year and ends at Vesco Park where Winnemucca Domestic Violence Services (WDVS) will sponsor their “Party in the Park” event. Humboldt General Hospital will also be partnering with the Chamber and WDVS for the event. Stone said funds raised will be used towards scholarship(s) for Lowry graduating senior(s). Council member Mavity moved to approve the request to use various City streets and Vesco City Park on Saturday April 25, 2020 for the “Color The Mucc” event. Motion carried unanimously.

SEWER CONNECTION FEES WAIVER REQUEST / FAIRGROUNDS RV SPACES

Kim Peterson, representing AG District 3, requested a waiver of the sewer connection fees for fifty (50) RV campsites at the Fairgrounds. The upgrade to the spaces is necessary to help procure large events at the facilities. With the completion of the hookups at these fifty spaces, the Fairgrounds will have a total of 394 campsites that will have full hookups – water, sewer and electricity. To use the campsites, campers must be participating in an event at the Fairgrounds or be using the stall services overnight. Peterson commented that the rental rates compare to other RV parks but are slightly lower because there are no amenities at the Fairgrounds. The idea is to not compete with commercial parks. Peterson remarked that there is an existing dump station at the Fairgrounds that has been used for these spaces, so there will be no change in the quantity of waste that goes into the sewer line. City Manager Heiser said the East End sewer units certificate program ended in 2015. In this case, there is already a dump station assigned for those 50 RV spots and the hookups at each station will not add any demand that wasn't already on the line. Going forward there will not be any connections to the old East End sewer line without approval for a will serve from the Council. Council member Billingsley moved to approve the request to waive the sewer connection fees for fifty (50) RV campsites at the Humboldt County Fairgrounds. Motion carried unanimously.

WATER-SEWER CONNECTION FEES DEFERRED PAYMENT REQUEST / 95 S. BRIDGE STREET / RIVERA

Norm Sweeney, representing Javier Rivera, requested to defer the water and sewer connection fees for the construction of new apartments at 95 S. Bridge Street. City Attorney Maher said Rivera is within the time period to get credit for any connection fees previously paid at this location. Unfortunately, the connection fees for the early 1960s (when the prior owner acquired the property) were minimal. Deferring connections fees is something the City doesn't typically do, but it has been done in a couple of special circumstances. Maher commented that the appropriate recommendation here is to allow Rivera to pay half of the connection fees when he obtains the building permit and the other half will be due and payable before a Certificate of Occupancy is issued. City Manager Heiser remarked that there is not an issue for capacity to serve the new apartments; Rivera's main issue is the cost of the connection fees. Rivera is building eight (8) studio apartments and the cost for the sewer and water connections is \$46,400. The earliest ordinance that references sewer connections fees was 1965; connection fees for eight (8) units within a hotel or motel in 1965 would have cost \$906. Heiser said there is not much credit to be had although the City can offer credit for the eight (8) units for the new construction (\$906). Maher will do a formal agreement. Council member Owens moved to: approve the request to split the payment of the connection fees as discussed; credit \$906 from the prior connection fees; and, direct staff to create an agreement between the City and Rivera for the payment deferral. Motion carried unanimously.

EASEMENT ABANDONMENT REQUEST / APN 16-0361-22 / EAST HORIZON HOLDINGS

Mayor Stone commented that Alan Means with East Horizon Holdings, LLC requested that the City abandon the 15' utility and access easement on the northern border of APN 16-0361-22, which was created to provide access to the Well 8 test drilling site. That well did not yield favorable results, thus there will be no well at the site and there is no reason for the utility and access easement. City Attorney Maher said the abandonment determination is based on whether the public will be materially injured by the abandonment. This easement was never used except by the City for the limited purpose of accessing the test well site. There has been

no public use and there is no reason for the public to use the easement. Mayor Stone called for public comment. There was no public comment. Council member Owens moved to find that there will be no material injury to the public by the abandonment and to approve the abandonment of the 15' utility and access easement on APN 16-0361-22 as requested. Motion carried unanimously.

TEMPORARY CONSTRUCTION EASEMENT REQUEST / WELL 8 TEST SITE

Due to the poor results from the first Well 8 test drilling (see previous agenda item), a new location for Well 8 must be found. East Horizon Holdings offered a location on their property in the area. Rather than creating an easement which may have to be abandoned, it is proposed to provide the City with a temporary construction easement to the site. The proposed easement will provide temporary access to the location of the new Well 8 test well site. If the tests show that this location has enough quantity and quality of water for a municipal well, staff will work with East Horizon to obtain either a permanent easement or transfer of property to the City. Council member Mavity moved to accept a temporary construction easement for access to the proposed Well 8 test drill site across the southeast portion of APN 16-0361-22. Motion carried unanimously.

BODE HOWARD MEMORIAL POOL

City Manager Heiser reported the request for proposals (RFP) to solicit professional consulting services is still under review by City Attorney Maher.

STAFF-COUNCIL REPORTS:

City Manager Heiser reported: (i) there is no report on the results of the October 16, 2019 BLM Interdisciplinary Design Team regarding the Railroad Spring pipeline project; (ii) the NDEP permit applications for Well 8 have been resubmitted for approval; (iii) there are no updates on the Airport property acquisition; (iv) the Airport heavy aircraft apron expansion and reconstruction project is down to the punch-list items for completion; (v) Hunewill Construction will be starting on the Alleys sewer project soon; (vi) the Potato Road-Fountain Way-Railroad Street mill and overlay project has a few punch-list items remaining, including the walkway adjacent to Railroad Street and raising all manholes and valves; and, (vii) the curb and gutter project will be completed in phases after some of the other City projects have been completed.

Council member Owens reported on the LEPC meeting.

Council member Mendiola reported on the NNRDA meeting.

Council member Brooks reported on the Landfill Committee meeting. The Committee agreed to accept the waste from the proposed Indian Colony cleanup on a prepay basis.

Lieutenant Garrison reported they will have two officers graduating from P.O.S.T. and a new officer starting November 25, 2019.

Chad Peters, Winnemucca Boys & Girls Club representative, reported that a pool manager has been hired.

Mayor Stone reminded that the County is hosting a Christmas Party on December 6, 2019 and the Sixth Judicial District Court is hosting a Giving Thanks Appreciation Breakfast on November 18, 2019. Stone said he will contact the Colony representatives and express the public's concerns over the location of the Indian Colony marijuana dispensary site.

PUBLIC COMMENT:

There was no public comment.

The meeting was adjourned at 3:19 p.m.

Respectfully submitted,

Lorrie Haaglund
City Clerk

PASSED AND ADOPTED: November 19, 2019

VOTE OF COUNCIL:

AYES: Owens, Mavity, Mendiola, Brooks, Billingsley
NAYS: _____
ABSTAIN: _____
ABSENT: _____

APPROVED:

ATTEST:

Richard Stone
Mayor

Lorrie Haaglund
City Clerk