

**CITY COUNCIL MINUTES  
REGULAR MEETING  
MARCH 10, 2020**

The Winnemucca City Council met in regular session on Tuesday March 10, 2020 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:**

Mike Quilici read a letter and presented supporting signatures addressing concerns with the tribal marijuana dispensary's location and requesting the City Council to negotiate a land trade for relocation. Mayor Stone commented there is an agenda item for this meeting requesting assistance through the Governor's office to address concerns related to the marijuana dispensary located in a residential area (tribal dispensary) and the concern that the tribal establishment has not entered into a compact with the State which would subject them to the same state licensing requirements as private marijuana establishments. The letter will request that the concerns be brought to the Department of Justice (DOJ) in Washington, DC and that the Governor attempt to persuade the DOJ to engage the Bureau of Indian Affairs to act with respect to the tribal dispensary.

**MINUTES:**

The February 18, 2020 City Council regular meeting minutes were reviewed and Council member Mendiola moved to approve as submitted. Motion carried unanimously.

**WARRANTS-EXPENSES:**

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

**PROCLAMATIONS-AWARDS-PRESENTATIONS:**

There were no proclamations, awards or presentations.

**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.

### **STREET CLOSURE REQUEST / RUN-A-MUCCA CELEBRATION**

Mayor Stone presented a temporary street closure request from Darrel Field, the Marketing and Special Event Coordinator for the Winnemucca Convention and Visitors Authority, to accommodate the annual Run-A-Mucca event on Memorial Day weekend. The request is the same as last year. Council member Brooks moved to approve the request for temporary street closures for the Run-A-Mucca celebration as follows: Lay Street from Winnemucca Boulevard to the Wells Fargo entrance on Fourth Street from 8:00 a.m. Thursday May 21, 2020 to 11:00 p.m. Sunday May 24, 2020; Fourth Street from Aiken Street to Lay Street from 5:00 a.m. Friday May 22, 2020 to 11:00 p.m. Sunday May 24, 2020; and, Aiken Street from Fourth Street south side to the curb cut from 8:00 a.m. Friday May 22, 2020 to 10:00 p.m. Sunday May 24, 2020. Motion carried unanimously.

### **STREET CLOSURE REQUEST / SILVER STATE INTERNATIONAL RODEO**

Mayor Stone presented a temporary street closure request from Darrel Field, the Marketing and Special Event Coordinator for Ag District No. 3, to accommodate the annual Silver State International Rodeo event. Council member Brooks moved to approve the request for temporary street closure for the Silver State International Rodeo event of Fairgrounds Road from the RV Park entrance to the Indoor Event Center entrance from 8:00 a.m. Sunday June 28, 2020 to 8:00 p.m. on Sunday July 5, 2020. Motion carried unanimously.

### **STREET CLOSURE REQUEST / TRI-COUNTY FAIR AND STAMPEDE**

Mayor Stone presented a temporary street closure request from Darrel Field, the Marketing and Special Event Coordinator for Ag District No. 3, to accommodate the annual Tri-County Fair and Stampede event. Council member Billingsley moved to approve the request for temporary street closures for the annual Tri-County Fair and Stampede as follows: Winnemucca Boulevard from the West Winnemucca Boulevard intersection with Fourth Street to the East Winnemucca Boulevard intersection from 11:00 a.m. to 12:30 p.m. Saturday September 5, 2020 for the annual Labor Day Parade; and, Fairgrounds Road from the RV Park entrance to the Indoor Event Center entrance from 3:00 p.m. Thursday September 3, 2020 until 11:00 p.m. Sunday September 6, 2020. Motion carried unanimously.

### **AIRPORT ENGINEERING-CONSULTING SERVICES CONTRACT / ARMSTRONG**

City Manager Heiser reported that Armstrong Consultants was the only responder to the RFQ to provide professional airport engineering and consulting services for the Winnemucca Municipal Airport for a five-year term. Heiser commented that Armstrong has done a good job for the City for many years. The Airport Board recommended acceptance of the Armstrong proposal at their March 9, 2020 meeting. Council member Owens moved to approve the Armstrong Consultants proposal to provide professional engineering and consulting services for the Winnemucca Municipal Airport as presented. Motion carried unanimously.

### **HISTORIC RESOURCES COMMISSION UPDATE**

Dana Toth and Jane Studebaker, representatives of the Historic Resource Commission (HRC), reported that HRC is looking to create a historic district in Winnemucca. Currently, there is no local registry of historic sites. The HRC is working on obtaining grant money for more education. Toth said they are looking at a historic preservation plan for properties in

Winnemucca in an effort to mitigate the demolition of historic sites. Toth said the Hubbard House, owned by Humboldt County, is considered a historic resource and could be eligible for grant money which could cover everything from an engineering survey to brick and mortar work. Toth said the interior of a historic structure does not have to be the same as it was previously and can be modified to suit the intended use. If the structural integrity of the building exterior is maintained, the structure can qualify for historic preservation. Toth shared some renditions of the exterior of the Hubbard House. Toth said she hates to see County-owned historic property demolished and wants to work towards preventing that. Studebaker said they want to make sure they are fighting for something everybody wants. They are trying to beautify historic properties. Mayor Stone said the City and former Mayor (Putnam) got on board with this and formed the HRC for the preservation of the community historic resources. The current Council and Mayor are fully supportive of the HRC efforts and goals and will support the HRC. No action was taken.

### **AIRPORT DISPATCH CENTER LEASE AGREEMENT AMENDMENT / BLM**

City Manager Heiser reported the BLM lease of the dispatch center at the Airport expires on June 30, 2020. BLM requesting to extend the lease for an additional five years through June 30, 2025. Council member Owens moved to extend the BLM airport dispatch center lease agreement involving Lease Tract 12 for an additional five-year term and authorize the Mayor to sign. Motion carried unanimously.

### **MARIJUANA DISPENSARY CONCERNS-ASSISTANCE REQUEST**

Mayor Stone reported that representatives from the City and the County met by telephone with Tyler Klimas, Executive Director of the Nevada Cannabis Compliance Board, to discuss what regulations, if any, apply to the Winnemucca Indian Colony marijuana dispensary located near the Hanson-Highland-Water Canyon intersection. Klimas advised that his department has no authority over marijuana establishments located on tribal or federal lands. If a tribe enters into a compact with the State, then the State can then regulate the product. Klimas also said it is illegal for a state licensed distributor to deliver product to an unlicensed dispensary, and product sold from an unlicensed tribal dispensary is illegal once it leaves tribal land. In an effort to bring the concerns related to the tribal dispensary to the attention of the federal government, the City and County are proposing a letter to Governor Sisolak summarizing the issues. Stone said the County composed a letter and was scheduled to discuss it, but it was removed from the March 9, 2020 County Commission agenda because they did not have enough time for their legal department to review the letter. Council member Owens said he likes the letter as drafted and questioned why the City must wait for the County to approve the letter before the City submits it. City Attorney Maher said submitting the letters together will present a united position. Council member Mavity asked about the time frame. Maher said the County Commission next regular meeting will be March 23, 2020. Stone asked the members of the public in attendance for their input. Local resident Steven Quilici agreed that a united front is valuable but thought the letter should be sent sooner rather than later. Cassandra Dittus, Tribal Cannabis Consulting representative, commented that the tribal dispensary had tried for months in 2019 to work with the City on different issues concerning the dispensary and to secure a compact between the Winnemucca Indian Colony and the City, including placement of the dispensary. Dittus said every effort was made to work with the Council and she said the City was not interested. Stone reminded Dittus that although the City was approached regarding a compact, one of the first tribal conditions was to be the exclusive dispensary within the City limits. Stone said the City rejected that. The City requested to see a compact between the Colony and the State for their tribal dispensary and, as of this date, no agreement has been entered into. Stone said the City

did support and still does support the relocation of the tribal dispensary and, as stated in the past, will support a private land purchase (of property in a commercial area) by the Colony and the request to have such land designated as tribal land. The City agreed to make water and sewer available to the site that the tribe suggested, but the City will not pay for the water and sewer. Susan Loda, Winnemucca resident, said the tribe is not being a good neighbor with the dispensary location and noted there is a school bus stop directly across the street and that the City was never going to agree with an exclusive dispensary. Dittus said the Colony tried to work with the City but did not end up with a compact. Stone said certain things that were asked for in the compact were never going to be agreed to, such as providing law enforcement services. Dittus reiterated her belief that the City did not engage with the Colony and said the letter to the Governor is disappointing. Council member Owens moved to send the City's letter to Governor Sisolak on March 24, 2020 with or without the County Commission letter and to authorize the Mayor to sign. Motion carried unanimously.

### **TELECOMMUNICATION LICENSE AGREEMENT / ZITO BUSINESS**

City Manager Heiser said this is a continuation of the prior lease agreement with CalNeva Broadband, which has now been acquired by Zito Business, to provide a dedicated fiber telecommunication line from the Police Department to the County Dispatch Center. City Attorney Maher reminded that this lease has an automatic renewal condition and the notification period is six months prior to the renewal date, so the City needs to be aware of this if anything needs to be change in the agreement before it renews. Council member Owens moved to approve the five-year term license agreement with Zito Business to provide fiber optic telecommunications services for the Police Department. Motion carried unanimously.

### **RECREATION COMPLEX PROJECT PROPOSALS-FUNDING OPTIONS**

City Manager Heiser explained that the Age and Dementia Friendly (ADF) group indicated that they will apply for another grant from AARP and are willing to put the grant funds toward a project at the Recreation Complex. The expected grant amount is about \$25,000. Some suggested proposed projects include:

- Another shade structure and landscaping near the splash pad/fitness park/playground area
- Drip line and landscaping around the fitness park walking path
- Multi-use court(s) near the splash pad/fitness park/playground area
- Urban pond located off Great Basin Avenue with a dirt/gravel/decomposed granite walking path around the perimeter.

The City has budgeted \$200,000 this year for projects at the Recreation Complex. Heiser presented cost estimates for the suggested projects and said it is helpful to know for the budget meeting coming up where the City may place improvements. Mayor Stone said because of the ADF funding, it may be advisable to make the walking path improvements a priority. Council member Mavity agreed. Council member Billingsley commented there are enough funds to do three projects: the multi-use court, the shade structure and landscaping and the drip line and landscaping around the fitness park walking path. Billingsley suggested working towards obtaining funding for the pond project. Heiser said she will bring a project proposal back when it is known how much money the ADF group is getting.

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## **BODE HOWARD MEMORIAL POOL**

City Manager Heiser reported that four proposals were received for the proposed aquatic center feasibility study. A review committee consisting of Mayor Stone, City Manager Heiser, Council member Owens and County Manager Mendiola met on March 6, 2020 to discuss the proposals. The committee recommends awarding the study to GreenPlay LLC for \$54,999. Council member Owens moved to accept the recommendation of the committee and award the study work to GreenPlay in the amount of \$54,999. Motion carried unanimously.

## **STAFF-COUNCIL REPORTS:**

City Manager Heiser reported: (i) drilling of the exploratory borehole is complete for Well #8 and Hydro Resources and Farr West are now working on completing the geophysical surveys and making a recommendation for either pursuing a production well at the site or moving on to another location; (ii) paperwork has been submitted to the FAA to close out the Airport property acquisition project; (iii) there are no new updates for the Second Street storm drain project or the Alley sewer project; (iv) quantities and specifications have been sent to the County for inclusion in the advertising of the chip seal projects; (v) discussions are continuing with the party interested in constructing a transloading facility at the Airport Industrial Park; and, (vi) the City-County plan to purchase a stockpile of bait through the insect control budget line and are hoping Robin Gray will provide treatment for the anticipated Mormon cricket infestation.

Council member Owens attended the Chamber luncheon, a transportation meeting with the State of Nevada, the Mainstreet meeting and the swearing-in ceremony for Chief Garrison.

Council member Mavity attended the swearing-in ceremony for Chief Garrison and reported that the collective bargaining negotiation committee will soon begin their meetings.

Council member Mendiola reported on the Paradise Sonoma Conservation District meeting and the Humboldt Foundation meeting.

Council member Billingsley attended the swearing-in ceremony for Chief Garrison.

Council member Brooks reported on the Mainstreet meeting and the Basque museum exhibit.

Chief Garrison has been working with former Chief Dalley on the transition. Garrison attended a tabletop exercise at HGH on the Coronavirus.

Mayor Stone reminded that Chief Dalley's retirement party will be March 21, 2020 from 6 p.m. to 9 p.m. at the Boys and Girls Club. Gordman's grant opening will be March 31, 2020.

## **PUBLIC COMMENT:**

Mike Dikun, Armstrong Consultants, thanked the Mayor, City Council, Airport Board and City Manager for their cooperation in working with Armstrong and said he is excited about the next five years and proposed projects at the Winnemucca Municipal Airport.

Susan Loda said she supports the letter to Governor Sisolak but wants to go on record to say she believes it is too little too late.

The meeting was adjourned at 3:32 p.m.

Respectfully submitted,

Lorrie Haaglund  
City Clerk

**PASSED AND ADOPTED:** March 24, 2020

**VOTE OF COUNCIL:**

**AYES:** Owens, Mavity, Mendiola, Billingsley, Brooks \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Richard Stone  
Mayor

\_\_\_\_\_  
Lorrie Haaglund  
City Clerk