

**CITY COUNCIL MINUTES
REGULAR MEETING
January 8, 2013**

The Winnemucca City Council met in regular session on Tuesday, January 8, 2013 at 2:00 p.m. in the City Hall meeting room. Present: Mayor Di An Putnam, Councilmen Michael Owens, Doug Cain, Ken Tipton, Jim Billingsley and Paige Brooks. Staff present: City Manager Steve West, City Attorney Kent Maher and City Clerk Eddy Davis.

CALL TO ORDER:

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

APPROVAL OF MINUTES:

The City Council December 11, 2012 regular meeting minutes were presented for review and Councilman Billingsley moved for approval. 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 employee 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 Cain 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.

REQUEST TO HOST 5-K RUN-WALK / NORTHERN NEVADA AMERICORPS

Steven Thompson, Northern Nevada AmeriCorps representative, requested the use of City streets to host a 5-K run-walk on Saturday January 19, 2013 (in observance of Martin Luther King Day) with registration between 9:00 a.m. and 11:30 a.m., and the run-walk beginning at 12 noon. The route for the run-walk will begin at the Senior Center located at 1480 Lay Street, then to Melarkey Street, Highland Drive, East Winnemucca Boulevard, Bridge Street and ending on Minor Street. Volunteers from Winnemucca, Battle Mountain and Wells will assist with and participate in the event. The purpose of the event is to garner additional support for volunteer

and non-profit agencies in the area. Admission is free with a donation of time to a local non-profit agency of choice. Councilman Cain moved to approve the request made by the Northern Nevada AmeriCorps to host a 5-K run-walk on Saturday, January 19, 2013 beginning at 9:00 a.m. and following the designated route as outlined on the map provided. Motion carried unanimously.

REQUEST FOR WILL-SERVE COMMITMENTS / NEW VISION DEVELOPMENT

Alan Means, Project Manager with New Vision Development, requested a will-serve commitment from the City for water and sewer services for the New Frontier RV Park consisting of 137 permanent RV spaces, the temporary construction worker housing project with 130 temporary spaces, and the associated Community Center building. City Manager West said staff recommends approval of this request. Councilman Cain moved to approve the will-serve commitment to New Vision/New Frontier Development for: (i) the RV park (137 units); (ii) the temporary construction worker housing (130 units); and, (iii) the Community Center. Motion carried unanimously.

REQUEST FOR WAIVER OF SEWER AND WATER CONNECTION FEES FOR TEMPORARY CONSTRUCTION WORKER HOUSING / NEW FRONTIER DEVELOPMENT

Mayor Putnam referred to the letter from Alan Means, Project Manager for New Vision Development (New Frontier Development), requesting a waiver of the sewer and water connection fees for the temporary construction worker housing project (130 units). City Manager West said the housing will be temporary in nature and will no longer be needed after June 30, 2015. At that time all applicable fees will be collected for any proposed permanent use of the property. If no further sewer use is requested for the property at that time, all of the sewer piping should be capped off. Means said their project will be constructing the water and sewer infrastructure for the development. West felt this was an unusual request as the City seldom receives requests for temporary uses of water and sewer connections. The connection fees were established to build a fund for long term system improvements. Staff recommends approval. Councilman Owens moved to approve the request made by New Vision/New Frontier Development for the waiver of the sewer and water connection fees for the temporary construction worker housing (130 units) for period through June 30, 2015. Motion carried unanimously.

REQUEST FOR REIMBURSEMENT OVER TWENTY-YEAR TERM OF SEWER MAIN EXTENSION COSTS / NEW FRONTIER DEVELOPMENT

Alan Means, Project Manager for New Vision Development, LLC (New Frontier Development), requested a reimbursement agreement with the City relating to the sewer main extension costs associated with the New Frontier Development. Means asked for a 20-year time period to recover the costs. City Attorney Maher said the Winnemucca Municipal Code (WMC) Chapter 13.04.260 specifically allows for a period of up to ten (10) years for recovery of the costs, so the ordinance will have to be changed to accommodate the request. City Manager West added a ten (10) year reimbursement period is appropriate for most developments. The WMC is amended through the process of public hearings and published notices. West said the additional time caused by amending the ordinance will not have an impact on this request and recommended proceeding with the ordinance change to allow for up to a 20 year term. Councilman Billingsley noted any change to the ordinance should include language that allows for different variables to this type of agreement. Councilman Tipton asked whether the reimbursement would be paid back quicker on a 20-year term agreement if development

occurred ahead of schedule. West replied the payback period is impacted by the surrounding properties' development timing. Mayor Putnam directed staff to research the applicable language that would change the WMC and to begin the legal process to do so.

DEVELOPMENT AGREEMENT PROPOSAL / GREAT BASIN DRIVE EXTENSION / NEW FRONTIER DEVELOPMENT

Mayor Putnam presented a letter from the New Frontier Development proposing an agreement with the City to extend Great Basin Drive from East Winnemucca Boulevard to Kluncy Canyon Road. The developer will pay for the portion of the collector street within the New Frontier Phase I Development, the City will pay for the costs of the portion of the street adjacent to the Lowry High School property, estimated at \$449,356, and the City will advance the costs for the portion of Great Basin Drive extending from Phase I of the New Frontier Development to the northeast corner of Lowry High School property, estimated at \$735,966, which will be reimbursed by the developer. The developer proposes to construct the street this summer and to reimburse the costs advanced by December 2015. City Manager West provided a summary of RTC and City capital reserve funds available for the project. Mayor Putnam said funds are available for the project, and funding is expected to grow in the future. Councilman Brooks asked if the City will continue to move forward with the projects already funded through the Capital Reserve fund. West replied yes. Alan Means, the developer representative, added the City is bound by the prevailing wage law while private developers are not, and having the developer contract for the roadway improvements should save with costs of the project. Councilman Billingsley asked if the new development were not underway, who would have to pay for the extension adjacent to Lowry High School. West said the City has typically had to pay for street development costs adjacent to schools because of the School District's tight budget. Sometimes the City constructs collector streets to address traffic issues before an assessment district is created, which benefits adjacent property owners. Councilman Tipton asked if sidewalks would be included in the extension. West replied not at this time, but sidewalks will be established as new development occurs. The Council agreed this is a great opportunity. Means added it was hopeful the construction of the Great Basin Drive extension will be completed by the fall of 2013. Councilman Cain added this extension will resolve a lot of traffic congestion issues in that area. Councilman Billingsley moved to direct staff to draft a development agreement between New Vision Development and the City for the extension of Great Basin Drive from Lowry High School to East Winnemucca Boulevard. Motion carried unanimously.

OFF SITE SEWER SYSTEM IMPROVEMENTS

City Manager West provided an update summary of the City's utility main pipe size upgrades and the water-sewer system improvements to be constructed by the New Frontier Development on East Winnemucca Boulevard. West said the City will have the ability to recoup its utility upgrade costs from the future developers in the area. The water main upgrades are expected to cost an estimated \$70,000 and the sewer main upgrade will cost about \$13,500. The City is also considering the purchase for use on the Museum Lane project of two 18-inch water valves and approximately 100 feet of the 18-inch water main that were delivered to the project site but were not needed. The Frontier Village Development will contribute \$50,000 towards the cost of the City sewer interceptor project and the New Frontier Development will construct approximately one mile of off-site sewer piping at their cost. No action was taken.

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REQUEST FOR WAIVER OF WATER CONNECTION-USE FEES AT FAIRGROUNDS / AGRICULTURAL DISTRICT NO. 3

Mayor Putnam noted that at the last meeting, the Council voted to waive the sewer connection-use fees at the Winnemucca Events Complex/Ag District 3 (Fairground RV park project - 76 RV spaces). The item to consider today is to waive the water connection-use fees for the same project. Councilman Brooks moved to authorize the waiver of the water connection fees for Ag District 3 at the Fairgrounds RV park for 76 RV spaces at an estimated cost of \$69,920 on the condition that all applicable water use fees and any City out-of-pocket material costs will be paid by Ag District 3. Motion carried unanimously.

PROPOSALS FOR MODIFICATION OF SNOW AND ICE CONTROL PLAN

Mayor Putnam stated there is a need to update the current snow and ice removal plan. The main change is the addition of a "Snow Clearing Assistance" application for those in community requesting help with snow and ice removal. The updated plan and application form will be posted on the City's website and will be available at the Humboldt County Senior Center. City Manager West said the snow removal policy was adopted in October 2008 and has worked well for the City. The Senior Center maintains a list of those receiving the service which has grown to over 100 residents. Some abuse has occurred by those who actually don't qualify for the service, so an application form was created to help narrow down the recipients to those with actual need for the service. A couple of minor changes have also been made to the plan. Councilman Tipton asked how the list will be monitored for those who qualify for the service. West felt the seniors all know each other and will verify any abuse, and the City crews are typically aware of those who qualify. Putnam said she felt the application process will narrow down the abusers. West also said the Senior Center has done an excellent job in screening applicants. Patricia Tindall, Senior Center Director, explained the screening process for those requesting snow removal and the typical questions which are asked of applicants. Right now the requestor self-declares that they are eligible to be on the list. The list is updated and distributed to the City Public Works Supervisor and the Division of Forestry Honor Camp on a regular basis. Councilman Tipton moved to adopt the modifications to the snow and ice control plan and the incorporation of the new "Snow Clearing Assistance" application form as recommended by staff. Motion carried unanimously.

DELINQUENCY REPORT FOR ASSESSMENT DISTRICTS 16 AND 17

City Clerk Davis reported on delinquent property assessment payments for Assessment Districts (AD) 16 and 17. There have been two properties delinquent on their annual payments in AD17 accumulating over a two year period. Those properties sold and were paid current by the new owner. One assessment in AD16 remains delinquent with a past due balance of \$1,103.47 (including late penalties through December 31, 2012). The assessments remaining due on AD17 are estimated at \$272,000 with annual payments due April 1 of each year. Final payments will be made in 2016 for Assessment District 17.

STAFF / COUNCIL REPORTS

City Manager West reported a joint City/County meeting could possibly be scheduled for February 4 or 18. The preliminary design work for the reconstruction of Water Canyon Road should be completed by the end of this month. West requested Council binders be brought to the Administration office to be updated. West expects to hear soon from the State of Nevada regarding the transfer of ownership of Haskell Street to the City.

Councilman Cain said the LEPC meeting was postponed and will be rescheduled. New appointments were administered by the County Commission yesterday.

Councilman Tipton said Bill Sims gave a report on his European trip to the HDA board.

Councilman Billingsley said he missed the last WCVA meeting. Billingsley noted that some of the score clocks need to be replaced at the parks, and questioned who is responsible for the cost to replace them. Billingsley feels the youth organizations should not bear the complete cost burden. West said the City has typically taken care of all of the other costs related to the ball fields such as building upkeep, player pens, lawn, sprinklers, etc. The organizations that utilize the facilities have in the past taken care of the score clocks. Mayor Putnam suggested the organizations approach area businesses for cost assistance to replace the score clocks before they approach the City.

Councilman Brooks said the NNRC has not met this year. A lot of people have visited the Yurt in Water Canyon and enjoy utilizing the structure. Brooks received several comments on the recent snow removal process by the City. Some residents said they cleaned their driveways only to have the City push snow back on their property. West said the City's primary goal is to provide safe traffic lanes and it is impossible to clear the traffic lanes on some of the narrower streets without blocking the adjacent driveways. Mayor Putnam suggested that people remove snow to the right of their property so that a snow plow will not push it back to them when it passes. The reasons that the City no longer plows snow to the center of the street are listed in the snow and ice control plan policy.

Mayor Putnam said she will not be present at the January 22 Council meeting and Mayor Pro Tem Cain will direct the meeting. A special meeting will be held at the County Courthouse meeting room on Wednesday, January 23 at 3:00 p.m. with a presentation on the State's ethics and open meeting laws conducted by Wayne Carlson, Executive Director of POOL-PACT. The City and other boards are invited. The Mayor swore in Letty Norcutt as the Municipal Court Judge at the January 8 swearing ceremony of newly elected officials. Hycroft Mine representatives Warren Wood and Sue Hawkins gave an update on activities at the mine and participated in a tour of the new developments under construction in the community. The City appreciates Hycroft's assistance in solving some of the issues that come with the growth of the mine. Hycroft currently has 400 employees with an additional 200 contracted employees on site. When the project is completed, there will be 600-plus employees with another 400 contracted personnel as well. It is possible they will employ up to 800 people when the expansion is completed. The City is taking a progressive approach to the impact the expansion will have. Newmont Mine recently held a breakfast to update on their projects and safety record. The life of the mine is extended every year and they expect continuous production.

PUBLIC / PERSONAL COMMUNICATION / CORRESPONDENCE:

Dee Holzel inquired about how the City is handling the large snow piles that have been created around town. People are unable to walk on most of the sidewalks around town, having witnessed some students near the Junior High School walking in the street because of the snow piled up against the curbs and sidewalks. West said the snow piles will be removed as there is time, and reminded businesses that they are prohibited from piling snow from their parking lots onto the streets. Residents and businesses that create the snow piles are ultimately responsible for the removal. By City ordinance, property owners are responsible for clearing their sidewalks.

Sue Hawkins said she is looking for volunteers to assist with the program that helps high school students to prepare for attending a trade school, community college or university. The first meeting to train volunteers to assist in the program will be held on January 10. Approximately 240 students will participate. The program currently has 16 volunteer trainers ready to assist, but would like to see at least 20.

Mayor Putnam adjourned the meeting at 3:20 p.m. until the next meeting on January 22, 2013.

Respectfully submitted,

Eddy D. Davis
City Clerk

PASSED AND ADOPTED: January 22, 2013

VOTE OF COUNCIL:

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

APPROVED:

ATTEST:

Di An Putnam

Eddy D. Davis