

**MINUTES OF WELLS CITY COUNCIL
MEETING OF MAY 10, 2022**

CALL TO ORDER

Date: Tuesday, May 10, 2022
Time: 7:00 P.M.
Place: Council Chambers, Wells City Hall
525 Sixth Street Wells, Nevada
Type of Meeting: Regular Meeting of City of Wells Board of Councilmen
Presiding Officer: Layla M. Walz, Mayor

ROLL CALL

Present: Layla M. Walz, Mayor
Robert Woolsey, Vice-Mayor
Jonathan Goolsby, Councilman
Chris Micheli, Councilman

Absent: Laura Moore-DelRio, Councilwoman

Quorum: Yes

Staff Present: Jordan Tilley, City Manager
Patti Zander, Deputy Clerk

PLEDGE OF ALLEGIANCE

Mayor Walz led everyone in the Pledge of Allegiance.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Councilman Woolsey made a motion to approve meeting minutes dated April 26, 2022. Councilman Micheli provided the second and motion passed unanimously.

CITIZENS TO ADDRESS THE COUNCIL

There were none.

**DISCUSSION AND CONSIDERATION OF A LETTER IN RESPONSE TO
FEDERAL LEGISLATION INTRODUCED BY THE U.S. HOUSE OF
REPRESENTATIVES NATURAL RESOURCES COMMITTEE TITLED THE
“CLEAN ENERGY MINERALS REFORM ACT OF 2022”**

Walz stated the county commissioners drafted a letter opposing this act. Tilley added the county commissioners asked that we as a city discuss this and see if we want to draft a similar letter. The bill will create royalties that mines on public lands will have to pay; 8% for existing mines and 12 ½% for new mines. The environmental protection requirements will be stricter and will make it more difficult for the mines to operate.

Tilley talked with Curtis Caulder in Elko who was going to reach out and see if cities should participate or if this should all be at the county level. It was on the City of Elko agenda tonight as well. Caulder thought maybe this should be a county response and not a city response. There are some draft letters available from Elko County and Humboldt County that will be submitted.

Woolsey would like to see how it impacts the mine. The mining industry is very large in Northeastern Nevada and would probably impact Northeastern Nevada more than it would the rest of the state. The mines do a lot for our communities and schools and Woolsey would like to see how that would impact their ability to continue helping in the community. Tilley is waiting to hear back from the mines if they have any dollar figures. NGM is giving a large amount towards the Main Street retail center and those types of things may go away if this royalty is put in place. Woolsey wants to see where the county stands as well as the mines and how it will impact them. Tilley will bring back information he receives.

DISCUSSION AND POSSIBLE ACTION TO CHANGE THE GOVERNANCE OF THE ELKO CENTRAL DISPATCH ADMINISTRATIVE AUTHORITY FROM AN INTERLOCAL AGREEMENT BETWEEN THE CURRENT MEMBER ENTITIES TO A DEPARTMENT WITHIN THE ELKO COUNTY GOVERNMENT, INCLUDING CONSIDERATION AND APPROVAL OF A LETTER OF INTENT TO PROCEED WITH THE PROPOSAL

Lee Cabiniss, Emergency Manager for Elko County as well as one of the board members for the executive board, was at the meeting. Cabiniss stated this item is to change the governance of the Elko Central Dispatch administrative authority from one administered by an interlocal agreement to a department within Elko County. The interlocal agreement has been in place in its current form since 2000.

During the time this agreement has been in place, changes have occurred such as the Elko County Sheriff's Office taking over law enforcement in the City of Wells. Fire suppression within Elko County has transitioned from NDF to Elko County Fire Protection District. A different way to allocate costs has been identified through consultant evaluation of its fiscal administration. To make the changes referenced above, the Interlocal Agreement would need to be updated or a different governance for the dispatch center would be needed. The change to a county department is the most feasible.

This proposal recommends changing the governance of the dispatch center from an executive board made up of county and city officials and one at-large position and an

operations board that is made up of some user agencies. The executive board voted to recommend to the user entities that we change the governance from these boards to a department within Elko County. The county is the logical place for this new department to develop as dispatch is a regional operation.

The second major point is revising the cost allocation that users pay. The approximately \$1.7 million dispatch budget through user fees is intended to be allocated differently. Approximately 1/3 of the cost would be based on fixed costs such as radios and FTE's with 2/3 of the cost allocated on system usage (calls for service). This has the benefit of more equitable distributing costs to users. Currently the user fees are based exclusively upon a fixed cost (radios) with no accounting for system usage.

No staffing will be changed nor the location or the infrastructure of the center. Due diligence will be done with county staff, the dispatch boards, user entities, user agencies and dispatch employees from now through the end of the year as phase one. Phase two could begin around January 1, 2023 and would be a pre-implementation phase that would continue until July 1, 2023 when phase three of implementation begins July 1, 2023.

Elko County has approved the letter and it's two-fold implications for the county. First to dissolve the interlocal agreement and second to agree to accept the dispatch center as a department with the county. Cabiniss is asking the city to approve the letter of intent to initiate this change. As a user entity approving the letter of intent, it is a vote to dissolve the current interlocal agreement and start the process of making this change. Cabiniss added that he was at the Elko City Council meeting earlier and this was approved.

Walz liked the restructure of the cost but is concerned that with no seat at the table, our concerns won't get met. The communications department would not be under any current public safety agencies. It would be a department head reporting to the county manager or assistant. The enhanced 911 board would supervise the surcharge fee which would continue to support the capital costs. Nothing will change with the way things are functioning but the cost for the City of Wells may be less. Woolsey made a motion to change the governance of the Elko Central Dispatch Administrative Authority from the interlocal agreement between the current member entities to a department within the Elko County Government, including consideration and proceeding with the proposal. Micheli provided the second and motion passed with Goolsby abstaining.

DISCUSSION AND POSSIBLE ACTION TO APPROVE SPECIAL USE PERMIT FOR APN #002-740-003 & #002-740-020

Walz began that this is two special use permits for the Maverik group. Tilley added that James Copeland from DRH Company was on zoom to answer any questions. Tilley stated that city code has a forty-five-foot height requirement on signs and Maverik is proposing to put in a sign that is a hundred feet tall so it can be seen from the freeway, like the Loves, Flying J and Petro signs. A special use permit usually requires construction to be commenced within 185 days or the extension thereof. Staff has

requested them to ask for an additional 185 days. It is not likely they will need all of that time but there could be supply chain issues.

Walz declared she lives across the street from where the sign will be and wanted to know if it would obstruct the view of the mountain or chimney rock. Walz added that currently, her bathroom glows green from the Loves sign and is concerned about the light that will be generated from this sign. Walz wondered if it could be directional lighting towards the interstate and not the homes in the area. Copeland stated the sign itself is oriented parallel with the interstate to maximize visibility from the interstate. Walz mentioned dark sky lighting is used at the mine site at Pequop so there is very little light and wondered if this sign lighting would be similar. Copeland added that there will be automatic dimmers and will run at fifteen percent of brightness at night. Copeland added he would give Tilley any more information when he gets it. The electrical engineer for this site is well versed in designing for dark sky areas.

Woolsey doesn't think there would be any problem with obstruction of the mountains as this sign won't be as big as some of the billboards in the same area. Walz asked if Maverik would have ethanol free gas. Copeland stated there will be a forty-thousand-gallon diesel tank; a forty-thousand-gallon unleaded tank and a triple compartment tank that will have premium, midgrade and ethanol free. Walz asked if any one in the audience had any questions or concerns regarding special use permits for signs for Maverik. Quinn wondered if in the future, the city would adopt a code for low lighting requirements. Woolsey made a motion to approve the special use permit to allow the sign to be one hundred feet. Goolsby provided the second and motion passed unanimously.

CONTINUED DISCUSSION ABOUT OPTIONS TO IMPROVE ANIMAL CONTROL

Walz did hear some community comments before the meeting started that there have been some improvements. Tilley has talked with a couple of the deputies and with Lt. Fisher and they feel the notice on the reader board is the way to go as well as it being on Facebook. Just getting the information out will hopefully deter people to keep a better eye on their dogs. Tilley has heard of some people calling dispatch. One animal control officer was covering Spring Creek specifically. Both animal control officers are now being paid by the county.

Lt. Fisher has said the deputies are trained, able and capable of handling dog calls as well. Tilley has not seen as many dogs loose around town. Woolsey added that there have been less dogs at the school in the last two weeks. Denny Stanhope stated the problem he was having with dogs has decreased and the dogs he had issues with have been behind fences. Stanhope thinks there has been improvement but hopes council will continue to move forward with this issue. Woolsey thinks it needs to be revisited. Walz questioned if the city wants to commit funds to code enforcement if the Elko County Sheriff is willing to be our partner. Will they provide the person if we provide the budget? Is there enough need that the code enforcement person could work in Spring

Creek half the week and in Wells half the week? There is still a lot of discussion that needs to take place. Nicole Rodriguez asked how many times a loose dog is picked up before it will not be returned to the owner. Supp added there is a leash law in the code and there is a citation that the sheriff's department can cite the property owner. Tilley added that Lt. Fisher sent out a notice to all the deputies in Wells to be more pro-active at picking up loose dogs.

DISCUSSION AND POSSIBLE ACTION TO APPROVE GRANT APPLICATION TO DISPOSE OF CONTAMINATED DIRT UNDER THE FORMER STINKER STATION GAS STATION

Tilley met with David Freeman and Rueben Ramos from NDEP and asked that this item just be discussed tonight. Action can be taken at the next meeting because it needs to be reviewed by their Deputy Attorney General. This will cost \$64,000 to be funded through this grant with \$16,000 as in-kind. NDEP has received permission for the city to use the old landfill for this dirt, so it doesn't have to be trucked to Elko. The dirt will have to be dug up and let it sit for a week to do some tests to make sure all the contaminated dirt is removed. Hopefully this can be approved at the next meeting and work will be able to start by the middle of July. There will be four quarterly ground water monitoring events where they will come in and check the contaminated dirt to see if it is diminishing which should take about a year to totally complete the process.

CLAIMS COMMITTEE REPORT: ACTION TO APPROVE FINANCIAL STATEMENTS

Goolsby made a motion to approve check register dated April 1, 2022 through April 30, 2022 in the amount of \$153,147.60. Micheli provided the second and motion passed unanimously. Goolsby again made a motion to approve Warrant Register dated April 28, 2022 through May 10, 2022 in the amount of \$85,180.75. Micheli provided the second and motion passed unanimously.

COUNCILMEN'S REPORTS

Woolsey mentioned that Friday and Saturday, the softball and baseball regionals will be held. There will be several teams in town. Woolsey would like to revisit hiring parttime help at the golf course and would like to see if it will continue to be done yearly. Woolsey would like to bring back the numbers for when it was done last year and put it on the next agenda. It wasn't a large profit but did come out ahead. It created a couple of jobs and provided a service. Woolsey would like to discuss this on the next agenda.

Goolsby stated that there was a recent fundraiser for the Booster Club that did well. Goolsby mentioned he had seen some chickens not too far from here and thinks maybe this should be revisited in the future. He understands there should be no roosters but with the price of eggs, he would like chickens. Quinn mentioned that there are six racoons in her neighborhood, so the chickens and eggs won't last long.

Walz received an email from NNRDA saying that with the infrastructure money, they are looking at railroad crossings and wondering if we want to apply for grants to improve our railroad crossings. Walz does not think the railroad crossings can be moved but may want to talk about overpasses for pedestrians.

STAFF REPORTS

Tilley stated code enforcement has been on his mind and will have it on the next agenda. Tilley will be out of the office the end of this week and all next week to attend the Main Street conference in Richmond, Virginia. Tilley will be meeting with the County Manager, the sheriff and Undersheriff Justin Ames to start the process of revising the interlocal agreement the week after he gets back. Tilley hopes to have a contract that will be easier to understand, enforce and follow on both sides.

CITIZENS TO ADDRESS THE COUNCIL

Supp asked that since the city has updated the website, wondered if the city could put the entire agenda packet on the website. The new candidates don't have access to all the information. Zander stated that a candidate had received the packet because it was requested.

ADJOURNMENT

The meeting adjourned at 8:20 p.m.

LAYLA M. WALZ, Mayor

ATTEST:

SAMANTHA NANCE, City Clerk