

**MINUTES OF WELLS CITY COUNCIL
MEETING OF AUGUST 22, 2023**

CALL TO ORDER

Date: Tuesday, August 22, 2023
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: Gary Pollock, Mayor

ROLL CALL

Present: Gary Pollock, Mayor
Jonathan Goolsby, Vice-Mayor
Laura Moore-DelRio, Councilwoman
Chris Micheli, Councilman – by phone
CR Beth Savedra, Councilwoman

Absent: None

Quorum: Yes

Staff Present: Samantha Nance, City Clerk
Jason Pengelly, City Manager
Glen Shamblin, Public Works Supervisor
Patti Zander, Deputy Clerk

PLEDGE OF ALLEGIANCE

Mayor Pollock led everyone in the Pledge of Allegiance.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Savedra made a motion to approve meeting minutes dated August 8, 2023. DelRio provided the second and motion passed unanimously.

CITIZENS TO ADDRESS THE COUNCIL

Cathy Quinn recommended the city investigate getting an emergency management team established. Quinn stated if there is any way she can help, she is more than happy to help get this set-in motion.

REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF EMERGENCY ORDINANCE TO AMEND 3-6 OF THE WELLS CITY CODE, SPECIFICALLY 3-6-21: MEDICAL EXAMINATIONS; DUTY OF LICENSEE AND 3-6-28: MEDICAL EXAMINATION REQUIRED OF ALL PROSTITUTES, TO REMOVE THE REQUIREMENT THAT EXAMINATIONS BE PERFORMED BY A “PHYSICIAN” AND REPLACE THE WORD PHYSICIAN WITH “PHYSICIAN LICENSED TO PRACTICE MEDICINE IN THE STATE, OR BE A PHYSICIAN’S ASSISTANT OR REGISTERED NURSE UNDER THE AUTHORITY OF A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN THE STATE OR ADVANCED PRACTICE REGISTERED NURSE, NURSE PRACTITIONER, LICENSED IN THE STATE

Quinn asked if this could be investigated more because she didn’t think a nurse can do brothel exams and a doctor is needed. Pengelly stated that is the reason this is being brought up. City code is so out of date, that adding a nurse practitioners will allow things to carry on the way it has been. Nurse Practitioners can have their own clinics and do medical care and should be able to do weekly checks. Quinn asked if it has been confirmed that person is licensed. Pengelly replied yes as well as having to be a state licensed lab. This is part of the code that needs to be updated. This is how legal counsel thought would be the best way to do this part because the rest of the updating of the code will take much longer. Mayor Pollock read the first page of Ordinance 242. Pengelly stated that this ordinance will also benefit Intermountain Health when they are in the clinic because there will not always be a doctor on site. Pollock has also discussed this with Lt. Fisher and Lauren Landa and both have recommended the city update the code. This will put the city in compliance with state law with how it is being done currently. Goolsby made a motion to approve the ordinance to amend 3-6 of the Wells City code, 3-6-21 and 3-6-28. Savedra provided the second and motion passed unanimously. A one-minute recess was called for Micheli to leave the meeting.

DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE CITY STAFF TO GO OUT FOR BIDS FOR CDBG WASTEWATER HEADWORKS PROJECT

Pengelly began that this is the project that has been worked on for quite some time. This will provide a mechanical screen at the headworks to take out all the biodegradable rags, wipes and anything else that comes through that plugs up the lagoons as well as other issues. The cost is \$529,825; half of the money will be CDBG and the other half will be ARPA money. Goolsby made a motion to approve city staff to go forward with the bids for CDBG Wastewater Headworks project. DelRio provided the second and motion passed unanimously.

WELLS RURAL ELECTRIC TO ADDRESS BOARD OF COUNCIL FOR LETTER OF SUPPORT FOR HYDRO IN NEVADA SPECIFICALLY, THE LOWER SNAKE RIVER DAMS

Layla Murphy with Wells Rural Electric thanked the council for allowing her to come before the council. Since the Columbia River dams were built beginning in 1930, there

has been litigation against Bonneville Power Administration from tribes and special interest groups regarding salmon population and wildlife conservation. Each year, BPA includes in their budget between four and five hundred thousand dollars for wildlife mitigation practices. Current practices, since they put in fish ladders, have not seen further depredation of fish population so they are maintaining.

About a year ago, the Biden Administration sought to end that litigation and mediate. There has been a stay of litigation and the stakeholders have entered negotiations to try and mitigate this lawsuit. One of the things being considered is removing the lower Snake River dams. When Murphy says all the stakeholders are involved, BPA has a seat at the table but they serve hundreds of public power entities who have absolutely no presence or control of the process. There is also several farmers who rely on those dams for irrigation for their livelihood who have also not been included in the mitigation process.

The concern is that as of August 31st the recommendation will be to remove the lower Snake River dams. It looks minimal and looks like just a couple of gigawatts in the 700 gigawatts that nobody will notice. Studies indicate that it is likely to increase the average consumer's monthly expenses for energy between \$100 and \$250 a month. Those two gigawatts rise when it is needed the most, when power is the most expensive and the hottest and coldest days when it is already maxing out the system. Two gigawatts serve about 800,000 homes and are substantial. It is more than is used in all the WREC service territory.

If it is recommended that the lower Snake River dams be removed, that would require the senate to approve a bill to have them removed. The goal is to educate our senators and ask our city councils and trade association allies to write to their senators and inform them of what the real-life impacts will be for our community. A draft letter was provided. There is a lot of science to suggest that removing the Snake River dams would increase costs. Demand is increasing as electric vehicles come online and coal comes offline and is a real issue. Science doesn't suggest that removing the Snake River dams would have any impact on fish populations. There is already a 95-98% survival rate through the river system. There is a lot of science suggesting it is ocean conditions and climate change in general that is impacting the salmon more than the dams. Removing the dams would initially increase carbon because coal production would have to be increased.

Pollock stated he is an avid angler and has read quite a few different articles and studies that relate to dams and the depletion of the salmon population and steelhead trout. Pollock added it looks like water temperature is having more to do with the declining fish population than the fish ladders. These dams have been in place and in operation for a long time. The recent decline in salmon populations lends support to the theory that climate change and increasing temperatures in water combined with ocean conditions are more to blame for the declining fish population than any dam. Pollock has no problem lending support to this action. This will cost us all money.

These three dams are all in the State of Washington. BPA generates power all along the Columbia River Basin and the Snake River dams. The anticipation is that they would ask the dams to be closed in 2035. BPA has conducted a study, should the lower Snake River dams come offline and have generated scenarios how they would be able to compensate. The initial compensation going out to market to flush up the system is an average cost of about four hundred million dollars annually. If BPA were to build wind turbines to make up for the compensation along with storage, that cost is estimated to be eight million dollars annually.

Cindy Moschetti asked if there was a website we could go to. Murphy stated that Garrett Hylton is launching a communication, social media campaign that was approved by the board of directors today. This will be on Facebook and everyone should be getting a letter by the end of the week. Pengelly asked who this letter would go to. Murphy stated it would go to elected officials. Senator Cortez Masto will be here on Friday to visit and has been made aware of the situation and will discuss this more at that time.

Even though the dams are in Washington, it impacts people in Nevada significantly. The average bill in the WREC service territory is \$150 and this would at least double that bill. It is a lot of money and could take food out of people's mouths. Murphy continued that if that much power is taken off the grid, customers would be more susceptible to rolling brown outs that are being seen in California. It has the potential of being a very serious situation. Denny Stanhope commented that it was too bad the citizens can't sign this letter. Murphy stated the citizens will get their chance. DelRio made a motion to approve the letter of support for the hydro in Nevada, specifically the lower Snake River dams. Goolsby provided the second and motion passed unanimously.

DISCUSSION TO RECEIVE CDBG GRANT APPLICATION IDEAS FOR THE UPCOMING GRANT CYCLE TO BE SUBMITTED TO CDBG FOR ELIGIBILITY APPROVAL

Once again, it was stated completing the new senior center was the top priority. Goolsby thought there was already enough on our plate and didn't need to add more and the senior center needs to get done. Pollock can't wait to get the senior center completed and to sit down and have breakfast there.

DISCUSSION AND POSSIBLE ACTION TO APPROVE LAND PURCHASE AGREEMENT WITH NGEN SOLUTIONS LLC, APN #002-820-009

Pengelly began this is for the five-acre parcel that had been discussed previously. This is a fiber company that is tied in with Satview. At the meeting where this was previously approved, an appraisal needed to be done which came back at \$65,000. The goal is to have a laydown yard, get it all prepped and get fiber going then build a building and have two or three employees that would be installing fiber. NGEN already wanted to pay for their grading permit today. Goolsby made a motion to approve the land purchase agreement with NGEN Solutions LLC, APN #002-820-009. Savedra provided the second and motion passed unanimously.

DISCUSSION AND POSSIBLE ACTION TO APPROVE OR DENY SPECIAL LIQUOR LICENSE FOR WELLS MAINSTREET PROGRAM FOR AUGUST 23, 2023

Pollock began that this is going to be like a wine walk, ladies' night to introduce everyone to the four new businesses in the retail center. Minimal amounts of wine will be served. DelRio added this is a great idea and events like this are popular all over. More of these are planned and it is a great way to get small businesses recognized and get people into the business. Savedra made a motion to approve the special liquor license for Wells Mainstreet Program for August 23, 2023. DelRio provided the second and motion passed unanimously.

CLAIMS COMMITTEE REPORT: ACTION TO APPROVE FINANCIAL STATEMENTS

Goolsby made a motion to approve the Warrant Register dated August 10, 2023 through August 22, 2023 in the amount of \$136,594.82. DelRio provided the second and motion passed unanimously.

COUNCILMEN'S REPORTS

Savedra stated the PTO had a meeting and asked the community for help. The PTO wants to beautify the school and needs help planting plants in the front of the elementary school. This would be from 5 p.m. to 6 p.m. on August 25, 2023. The PTO will supply the plants. The NNRDA meeting was postponed again. Savedra will be making a presentation on behalf of the City of Wells on September 18, 2023 at the Elko Convention Center for "On Target Nevada" to promote what Wells has to offer. This will be an all-day event with only one hundred fifty tickets available.

Goolsby announced the high school football team already had their first game. Jr. football will be having its first game in the next couple of weeks and encouraged everyone to get out and support all the teams.

Pollock added that flag football has started which he will help coach. Pollock also met with Nevada Gold Mine and there was discussion about naming rights at the senior center. NGM doesn't want to have anything on the outside of the building regarding their donation. It was suggested to have a donor wall inside the building with all that donated listed. NGM is willing to work with us on the location inside the building. This would be great for everyone who has donated to the new senior center.

STAFF REPORTS

Pengelly sent everyone an email regarding Senator Cortez Masto being in town Friday at the Main Street Quilt Store at 9:30 a.m. for those interested in attending.

The auditors are here for a couple of weeks completing the audit.

Minutes of Wells City Council
Meeting of August 22, 2023

Pengelly met with Elie and a representative with the Division of State Parks regarding the splash pad grant. They went out and looked at the two parcels at the golf course that were flipped twenty plus years ago. Since these parcels were flipped years ago, are the same size and no money changed hands, there should not be a problem with the splash pad grant. Pengelly further explained that Division of State Parks gave the city the parcel Uhlig's house is on and the corner lot belonged to Supp's trust. Twenty some years ago, Supp's wanted the inside lot and the Board at the time, flipped the lots. Pollock added that the entity the city is seeking the splash pad grant from are the ones that provided the funding to build the golf course and this land was attached to this funding. The land swap benefited the city because the corner lot is tied in with the parking lot and cart barn. It was suggested that if we get the splash pad, the pool parcel should be separate from the splash pad because if it isn't, the pool will be attached to the Nevada Lands in perpetuity. The original agreement with Division of State Parks and the golf course is in perpetuity. That is why this is something that goes back all those years and is coming back to us now because the agreement with them is in perpetuity. No funding has been sought from the Division of State Parks since this land transfer. Everything needs to be in order on the golf course property before consideration is given for the city to receive money for something else.

There have been issues at the airport regarding the card reader which is used to purchase fuel. Frontier Communications provides very poor service not only to the airport but to the citizens. The airport landline is tied to pilots being able to use the card reader to buy fuel and has been out several times in the last month and lost sales. An expedited ticket was called in and Frontier is supposed to be here tomorrow. The city is losing fuel sales with no aircraft able to come into the airport. We are working on trying to make that card reader to work by internet and get rid of the landline. We have gotten rid of the landline at the golf course because it never worked and the phone at the pool doesn't work on Wednesdays. This is an issue for commercial and residential customers. Pengelly has been trying to reach out to some people higher up but they haven't answered his calls but he will continue to try to contact them.

We are also having issues with Elko Sanitation; huge issues and which didn't start until Jared Martin was replaced with a new manager. Maverik has stacks of garbage piled up. ESC had a truck breakdown, so all of today's commercial dumps that were scheduled won't take place until Thursday. Every day, the office receives phone calls as to why garbage was not picked up. DelRio added that she had an empty box sitting on top of her tipper and it was thrown off the tipper, into her yard and then the tipper was dumped. DelRio said pickup is not consistent. Pengelly thinks a letter needs to be written to the owner. Working with the new manager is not working. Pollock added that when a meeting was held with the new manager, the city was insured these issues will be resolved. They have a new tablet system that notes can be put in and the tablets would streamline the situation. The contract with ESC is until 2028 but they are in violation of the contract because they are not doing their job. We have customers who had service missed, ESC say it was picked up and then they brought up the video from a ring camera showing how they just drove by or the driver will say it was picked up and it wasn't.

Glen Shamblin wanted to thank the board for the great job they are doing as well as public works and the golf course staff. The grass at the soccer field was torn up again. New signs for the trap range have been ordered. It was suggested that cameras be installed. Pengelly stated cameras were installed at the park and they were stolen.

CITIZENS TO ADDRESS THE COUNCIL

Nicole Rodriguez announced the elementary school will hold an open house on Thursday. The high school will be the next week.

Quinn wanted to address Pollock and Pengelly. Now that it is harvest time, at the senior citizens center in Elko, each senior citizen has an area where they can plant their own garden with whatever they want. Some are just in five-gallon containers. Quinn thinks that is something that would be great for our senior citizens. It will be checked out.

ADJOURNMENT

The meeting was adjourned at 8:03 p.m.

GARY POLLOCK, Mayor

ATTEST:

SAMANTHA NANCE, City Clerk