

CARLIN CITY COUNCIL
CITY OF CARLIN, STATE OF NEVADA
REGULAR MEETING
CARLIN CITY HALL
101 SOUTH EIGHTH STREET
CARLIN, NEVADA
October 23, 2013, 7:00 p.m.

Call to Order and Roll Call:

Mayor Cliff Eklund called the meeting of the City Council to order at 7:00 p.m.

Council Members Present: Mayor Cliff Eklund
Vice Mayor Donnetta Skinner
Councilperson Bob DeMars
Councilperson Jay Duke

Absent: Councilperson Steve Feasel

1. Administrative Staff: City Manager Glenn Trust, City Clerk LaDawn Lawson, Police Chief Bill Bauer
2. Present: Kathy Burney, Tom Burney, Lincoln Litchfield

Pledge of Allegiance

I. Discussion and possible approval of a person to fill the vacant City Council seat for a term that expires on the first Monday in January 2015 pursuant to the requirements of the Carlin City Code 1.060, and all related matters. (Possible Action Item)

1. Mayor Cliff Eklund stated this process had been discussed with POOL/PACT with the Mayor making a nomination and an up or down vote by the Council. He noted they advertised the vacancy for 30 days requesting interested parties to request placement on the board and they received one (1) request. He stated Steve Feasel has resigned due to health issues. He noted the position would also be the liaison for the Carlin Planning Commission, alternate with the NNRDA, Public safety and Regional Transportation Commission, as an alternate.
2. **Mayor Cliff Eklund nominated Lincoln Litchfield to fill the vacancy.**
3. **Councilperson Bob DeMars seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor. The motion carried unanimously.**
4. Councilperson Lincoln Litchfield will be sworn in at the next meeting.

II. Public Hearing to review and possibly approve the Appraisal Report of property described as two established parcels, 4 and 5, on the southwesterly side of Carlin Trend Drive and northwesterly of Griffin Street, and all related matters. (Possible Action Item)

1. Mayor Cliff Eklund opened the Public Hearing at 7:04 p.m.
2. Mayor Cliff Eklund reported the property is NW of the North American Industrial property.
3. City Manager Glenn Trust stated there are actually three parcels and this is directly across from the Equestrian Center. He stated a 20-acre parcel #4 has been created and approved by the Council in September, appraised for \$210,000, as well as a 10-acre parcel #5, appraised for \$105,000 and a third parcel #6 which is the city road right-of-way.
4. Mayor Cliff Eklund inquired if there were comments, noting there is a total appraised value of \$315,000.
5. Councilperson Jay Duke explained the per acre cost is the same for each parcel.
6. City Manager Glenn Trust stated that would be correct.
7. **Vice Mayor Donnetta Skinner moved to approve the Appraisal Report of property described as two established parcels, 4 and 5, on the southwesterly side of Carlin Trend Drive and northwesterly of Griffin Street at a total cost of \$315,000.00, and all related matters. Councilperson Jay Duke seconded the motion. The motion carried with**

Mayor Cliff Eklund voting in favor.

8. Mayor Cliff Eklund closed the public hearing at 7:08 p.m.

III. Review, discussion and possible approval of Carlin Resolution 2013 - 10, a resolution finding it in the best interest of the public to sell city owned real property without offering the property for sale at public auction and below market value, and all related matters. (Possible Action Item)

1. Mayor Cliff Eklund explained this item is typical of what the City has done in the past.
City Manager Glenn Trust explained that under the statute, NRS 268.063 this is the one exception to the sale of public land and any other would have to be sold at public auction. He noted the Council has the ability to pass a Resolution that states that it is in the best economic interest of the City and the Resolution defines what economic issues are. He stated with that Resolution, the City could then sell public land without a public auction to a buyer that is going to provide economic benefits to the City. City Manager Glenn Trust read from the Resolution: *Whereas, Economic Development means: (1) The establishment of new commercial enterprises or facilities within the City;*
(2) The support, retention or expansion of existing commercial enterprises or facilities within the City;
(3) The establishment, retention or expansion of public, quasi-public or other facilities or operations within the City;
(4) The establishment of residential housing needed to support the establishment of new commercial enterprises or facilities or the expansion of existing commercial enterprises or facilities; or
(5) Any combination of the activities described in subparagraphs (1) to (4), inclusive, to create and retain opportunities for employment for the residents of the City.
 - a) He explained the real property is 20.44 acres+/- and the value has just been approved at \$210,000. He stated the actual purchasing party is Grand Slam Enterprises have made an offer of purchase with \$65,000 in cash payable on execution of contract with a certified check and will then pay *Sixty-five thousand dollars (\$65,000.00), payable in cash or certified check upon execution of the contract;*
 - b) *Pave Carlin Trend Drive along the property frontage to the west limit of the property line to the specifications required by the City of Carlin Public Works construction and approved by the City Engineer, Tom Ballew;*
 - c) *Construct the access road between Buyer's property and the parcel to the west, to the specifications required by the City of Carlin Public Works construction and approved by the City Engineer;*
 - d) *Extend a four (4) inch sewer line to the nearest sewer lift station to the size and specifications required by the City Engineer.* These are all of the improvements and the cash price. He noted they would put all of their building permits in 12 months, execute a quit claim deed at closing and if it does not happen, the City would refund 20%.
2. Mayor Cliff Eklund noted this item is not a motion to sell or approval of the sale; it is just an authorization to sell below the face value.
3. City Manager Glenn Trust stated the terms of the sale are listed in this resolution.
4. Fred Montes de Oca stated he does not understand the resolutions; the last sale you had had to be an option and the code says it is best for the City of Carlin.
5. Discussion was held on the fact there was no opportunity for business expansion in the area on the last sale.
6. City Manager Glenn Trust replied that the City has not been in trouble over the sale of lands.
7. Fred Montes de Oca stated he is "not saying to not sell it to them", but is "bringing up the whole picture". He stated he is trying to find out why the code says one thing and "you do different things".

8. City Manager Glenn Trust stated the City has “not done anything different than what the code says”. He stated the last sale was a public auction. City Manager Glenn Trust stated the Resolution defines the economic benefit to the City.
9. Councilperson Jay Duke stated they “are not going against the code in any way, shape or form”. He stated they have the right to write the Resolution because they are not going to put this up in the best interest of the City.
10. Fred Montes de Oca argued that the City does it “one way one time and another way another time”.
11. Councilperson Jay Duke explained the buyers on this particular issue do have the expertise to and money to accomplish this. He stated “We would be silly if we did not negotiate a cash price and infrastructure in place with a company that has this expertise”.
12. Fred Montes de Oca stated, “I think it is all the same”.
13. **Councilperson Jay Duke moved for approval of Carlin Resolution 2013 - 10, a resolution finding it in the best interest of the public to sell city owned real property without offering the property for sale at public auction and below market value, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor.**

IV. Review, discussion and possible approval of a Land Purchase Contract selling a single parcel of City owned land, described as established parcel 4 on the southwesterly side of Carlin Trend Drive and northwesterly of Griffin Street on the Parcel Map created for the City of Carlin by High Desert Engineering and attached as an Exhibit to the contract, to Grand Slam Enterprises, LLC, and all related matters. (Possible Action Item)

1. Mayor Cliff Eklund inquired why three (3) parcels were discussed in the parcel hearing and this item has only one parcel.
2. City Manager Glenn Trust reported Parcel 4 is the only property that Q&D is interested in. He noted there is another company who wants to buy Parcel 5.
3. Mayor Cliff Eklund reiterated the sale price and improvements. He stated the City could not do the street for \$190,000 if it was contracted out. He stated this would be a major rebuild of the road, the pavement and gives the City a lot of potential to open land up for sale.
4. Lance Semenکو. CEO of Q & D Construction introduced himself.
5. Councilperson Jay Duke confirmed that \$190,000 was what they calculated the cost of additional improvements to be, infrastructure, road surface - grading, paving and extension of the sewer line.
6. Lance Semenکو stated there is also a streetlight, fire hydrant and connection.
7. Councilperson Jay Duke inquired if the additional engineering is included.
8. Lance Semenکو stated there would be engineering on the inside of their portion.
9. City Manager Glenn Trust stated the map is done and typically the owner of the land pays the engineer to parcel out the land. He stated they would still be required to permit.
10. Discussion was held on who approves the specifications.
11. Lance Semenکو stated there is 52,000 feet of asphalt.
12. Discussion was held on the curb, gutter and sidewalk and it is not required in the Industrial Park.
13. Lance Semenکو reported they still have to get their plans approved and talk to the City Engineer. He noted they would have a manufactured office with the hope of putting in a shop.
14. Councilperson Bob DeMars inquired about a fence for security.
15. Lance Semenکو agreed they would put one in.
16. Lincoln Litchfield inquired about the deterioration of asphalt at the end of the paving.
17. Lance Semenکو stated they have not talked to the City Engineer about that.
18. Tom Burney inquired about the 4” sewer line and whether it would be enough and would it be tied into Parcel 5.

19. Lance Semenko stated that is for the engineer to decide, as he does not know what is going on in the other parcel.
20. Mayor Cliff Eklund inquired if the 4" line was adequate.
21. Lance Semenko stated there would not be more than two (2) toilets in their office. He noted 4" handles a lot of sewage.
22. **Councilperson Bob DeMars moved for approval of a Land Purchase Contract selling a single parcel of City owned land, described as established parcel 4 on the southwesterly side of Carlin Trend Drive and northwesterly of Griffin Street on the Parcel Map created for the City of Carlin by High Desert Engineering and attached as an Exhibit to the contract, to Grand Slam Enterprises, LLC, and all related matters. Councilperson Jay Duke seconded the motion. The motion carried.**

V. Second reading of Ordinance 237 – An Amendment to the Elko Sanitation Franchise Agreement and possible final vote approving the ordinance, awarding the franchise to Elko Sanitation and extending the term until November 1, 2018, and all related matters. (Possible Action Item)

1. Mayor Cliff Eklund asked for public comments.
2. **Councilperson Bob DeMars moved for approval of the Second reading of Ordinance 237 – An Amendment to the Elko Sanitation Franchise Agreement and possible final vote approving the ordinance, awarding the franchise to Elko Sanitation and extending the term until November 1, 2018, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried.**

VI. City Council consideration of the Council Meeting schedule for the months of November and December and possible approval to cancel the City Council meetings on November 27, 2013 and December 25, 2013, and all related matters. (Possible Action Item)

1. Mayor Cliff Eklund reported the council has done this every year for Thanksgiving and Christmas. He stated there would only be one (1) meeting in each month if approved.
2. Discussion was held on the one meeting per month and the option to call a special meeting if need be.
3. **Vice Mayor Donnetta Skinner moved for approval to cancel the City Council meetings on November 27, 2013 and December 25, 2013, and all related matters. Councilperson Jay Duke seconded the motion. The motion carried.**

VII. Review, discussion and possible approval of the minutes of the Regular Meetings of the Carlin City Council on September 11, 2013 and September 25, 2013, and all related matters. (Possible Action Item)

1. **Vice Mayor Donnetta Skinner moved for approval of the minutes of the Regular Meetings of the Carlin City Council on September 11, 2013, and all related matters. Councilperson Bob DeMars seconded the motion. The motion carried. Mayor Cliff Eklund abstained.**
2. **Councilperson Jay Duke moved for approval of the minutes of the Regular Meetings of the Carlin City Council on September 25, 2013, and all related matters. Councilperson Bob DeMars seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor. Vice Mayor Donnetta Skinner abstained.**
3. There were no public comments.

VIII. Review, discussion and possible approval of payments for the periods 10/10/2013 to 10/23/2013, and all related matters. (Possible Action Item)

1. **Vice Mayor Donnetta Skinner moved for approval of payments for the periods 10/10/2013 to 10/23/2013, and all related matters. Councilperson Bob DeMars seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor.**

IX. City Council Members' Reports. City Council Members report on issues, concerns and events regarding Public Safety, Public Works, Planning Commission, Parks & Recreation, Senior Center, Cemetery and other matters of interest (Non-Action Item)

1. Councilperson Jay Duke reported that he attended NNRDA meeting today and everyone expressed their gratitude to Steve Feasel, who attended the meetings in the past. He reported on the meeting and their budget, noting Kelly Wilson who has been Chairman is moving and Jason Ashby will be the new chairman and Sharon Horn the new Vice Chair. He noted they are going to start passing around to the different businesses to learn what they do. He noted Mary Korpi gave a presentation from Newmont and 56 salary people were being laid off. He stated they wanted to make the point that they are managing hourly by attrition, so there will not be any hourly layoffs. He stated the their Legacy Fund exceeded \$1m from employees and there will be a company match. He spoke about Rich Perry leaving for the Department of Minerals. He stated Ben Reed would take Don Zumwalt's position as Chief of Police. He noted GBC is 1 out of 4 colleges in Nevada whose enrollment is up and it is in the top position. He stated they received their 7-year accreditation. He stated there are 10 gas and oil rigs in Jiggs.
2. Councilperson Bob DeMars reported they do a lot of work with Q& D and they are looking to open the tunnels by March 2014. He discussed the water problem and flooding in town.
3. Councilperson Jay Duke inquired about installing a micro switch.
4. Councilperson Bob DeMars stated there are a lot of options they have.
5. Vice Mayor Donnetta Skinner reported working on the Spook Walk to keep everyone safe. She stated there are 15 cubbies coming from Spring Creek and Elko, as well as local businesses. She noted the cemetery is shut down for the winter. She stated the Senior Center is getting ready for the turkey shoot. She reported a snake visited the library. She requested help with the Spook Walk.
6. Mayor Cliff Eklund stated he attended a breakfast sponsored by Newmont for community leaders and they had 70% participation in the Legacy Fund. He stated Mary Korpi noted how many meals they buy for needy children through the year. He stated the City library and Senior Center have benefited by their generosity. He commended the employees of Newmont. He discussed the net tax the mines pay. Mayor Cliff Eklund stated it was announced he would be running as a candidate for the Elko County Commission at the breakfast this morning and he was surprised, but will make the decision soon and let them know.

X. City Clerk's Report. (Non – Action Item)

1. None.

XI. City Manager's Report (Non-Action Item)

1. City Manager Glenn Trust stated he placed the annual review package for him and asked that the Council Members fill out the form, seal them and get it to the City Clerk by November 6. City Manager Glenn Trust stated he is not going to do a financial report tonight and asked for the members to look at the first page, Line 10 YTD opening fund balance is \$3,782,870.10 and the budgeted balance was \$3,022,121.00, which is \$760,000+ of unbudgeted resources. He stated that is important that all of the capital improvement projects were reliant on the sale of the other piece of property. He stated they also have to be prepared to pay for the Fire House that has been awarded to a contractor.
2. Councilperson Lincoln Litchfield thanked the members of the Council for their vote of confidence. He stated the Planning Commission is working on Chapter 13 at present and is halfway done as there are 26 chapters. He stated they anticipate getting this to the Council and Administration next year.

3. Chief Bauer stated they would be going to the graduation at the Post. He noted they just received their new records management software in.

XII. Comments by the General Public: Pursuant to NRS 241.020(2C) this time is devoted to comments by the general public and discussion to those comments. No action may be taken upon a matter raised under this item until the matter has been included on a successive agenda and identified as an action item. (Non-Action Item)

1. None.

XIII. Adjournment. (Action Item)

Councilperson Jay Duke moved for adjournment with Councilperson Bob DeMars seconding the motion. The motion carried. The meeting was adjourned at 8:05 p.m.

APPROVED:

CLIFF EKLUND, MAYOR

ATTEST:

CITY CLERK LADAWN LAWSON